CAPE OF GOOD HOPE

LEGISLATIVE COUNCIL

REPORT OF THE GOVT. COMMISSION

ON

CAPE PENINSULA MUNICIPALITIES

AND

THE CAPE DIVISIONAL COUNCIL

G. 21 - 1902

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CAPE OF GOOD HOPE.

REPORT

OF A

COMMISSION

Appointed to Enquire into and Report upon Certain Matters affecting Cape Peninsula Municipalities and the Cape Divisional Council;

TOGETHER WITH

PROCEEDINGS, MINUTES OF EVIDENCE AND APPENDICES.

Volume I.

Presented to both Houses of Parliament by Command of His Excellency the Governor.

1903.

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Cape Peninsula Commission.

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COMMISSION.

(Sgd.) WALTER HELY-HUTCHINSON,
Governor.

By His Excellency the Honourable Sir Walter Francis Hely-Hutchinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of His Majesty's Colony of the Cape of Good Hope, and of the Territories and Dependencies thereof, etc., etc., etc.

To

The Honourable Sir William Bisset Berry, Knight, Speaker of the Honourable the House of Assembly.

Alfred John Gregory, Esquire, M.D., B.S., D.P.H., Medical Officer of Health for the Colony.

James Lawrence, Esquire, a Member of the Honourable the House of Assembly.

Thomas Dyer, Esquire, Mayor of King William's Town.

Thomas Stewart, Esquire, M.I C.E.

Walter Edwin Gurney, Esquire, Assistant Controller and Auditor-General.

Alfred Jasper Anderson, Esquire, M.B., M.R.C.S., D.P.H., and

Jean Etienne Reenen de Villiers, Esquire., LL.M.

GREETING.

Whereas it is deemed expedient that a Commission should forthwith issue to consider and report upon the matters following, that is to say :—

1. (*a*) The adequacy or otherwise of the water-supply, drainage, sewerage and lighting systems of the following Municipalities of the Cape Peninsula, namely :—Cape Town, Sea Point, Woodstock, Maitland, Mowbray, Rondebosch, Claremont, Wynberg, Kalk Bay and Simonstown, and also for the inhabitants of Camps Bay; both in regard to their present population and probable population in the near future.

(*b*) The sources from which increased supply of water could be obtained, and the probable cost of the necessary works to store and deliver such increased supplies.

(*c*) The best means and probable cost of any new works to deal with the other matters submitted to the Commission.

(*d*) Whether these Municipalities and the inhabitants of Camps Bay should be left to act in these and all other matters independently, or whether two or more of these Municipalities should be amalgamated into one Municipality.

(*e*) If it is found not advisable to leave these matters to the individual Municipalities or to amalgamate these Municipalities into one or more, then whether a Central Board or Board of Works should be formed to take such works under their control, leaving all other Municipal matters to the existing Municipalities.

(*f*) If found advisable to form a Central Board or Boards to deal with these matters then the Constitution, rating and other powers that should be given to such Board or Boards.

2. (*a*) The advisability of abolishing the Cape Divisional Council and handing over the duties, at present performed by them, to the existing Municipalities or amalgamated Municipalities in Municipal areas.

(*b*) How and by whom the duties at present performed by the Cape Divisional Council should be performed outside Municipal areas if the Cape Divisional Council is abolished.

3. Any other matter connected with the Public Health and Local Government of the Cape Peninsula which I may hereafter refer to you.

Now, therefore, I, the Governor aforesaid, do by this my Commission nominate and appoint you, the said Sir William Bisset Berry, in conjunction with Alfred John Gregory, Esquire, M.D , B S., D.P.H; James Lawrence, Esquire; Thomas Dyer, Esquire; Thomas Stewart, Esquire, M.I.C.E.; Walter Edwin Gurney, Esquire; Alfred Jasper Anderson, Esquire, M.B., M.R.C.S., D.P.H.; and Jean Etienne Reenen De Villiers, Esquire, LL.M.; to be Commissioners for the purpose of investigating and reporting on the matters aforementioned.

And I do hereby order and direct that this Commission shall continue in full force and virtue, and that you the said Commissioners, or any three or more of you, may from time to time proceed in the execution thereof, and of every matter and thing therein contained although the same be not continued from time to time by adjournment.

And I further order and direct that in carrying out the ENQUIRIES aforesaid you the said Commissioners shall be guided by such instructions as may from time to time be issued to you by the Minister entrusted with the Administration of the Laws relating to Public Health and Local Government.

And I do further direct that you or any three or more of you have liberty to report to me your proceedings under this Commission from time to time if you shall judge it expedient so to do.

And I further order and direct that you do with as little delay as possible report to me under your hands or under the hands of any three or more of you your opinion upon the matters herein submitted for your consideration.

And lastly, I do hereby desire and direct that all Public Officers in this Colony, as well as all His Majesty's subjects, be assistant to you in the execution of these presents by giving you all such information as it may be in their power to impart.

In witness whereof I have caused this Commission to be issued this Fourteenth day of March in the year of our Lord One Thousand Nine Hundred and Two.

By Command of

His Excellency the Governor

in Council,

(Sgd. ARTHUR DOUGLASS.

SEAL.

CAPE OF GOOD HOPE.

REPORT of a Commission appointed to enquire into questions affecting Local Government in the Cape Peninsula.

Presented to both Houses of Parliament by Command of His Excellency the Governor.

1903.

To His Excellency the Honourable Sir Walter Francis Hely-Hutchinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of His Majesty's Colony of the Cape of Good Hope, and of the Territories and Dependencies thereof, etc., etc.

May it please Your Excellency.

Your Commissioners, in obedience to the instructions contained in the terms of the Commission issued to them on the 14th March, 1902, have now the honour to lay before Your Excellency the following report on the several matters pertaining to the Municipalities of the Cape Peninsula and to the Cape Divisional Council referred to therein.

2. At a very early stage of their enquiry, your Commissioners found that the only available statistics of population within the area of the Peninsula, based as they were on the Census of 1891, were likely to be misleading; and inasmuch as, in the absence of more trustworthy population returns, the requirements of the community in respect of water, etc., at the present time as well as in the near future, could not satisfactorily be arrived at, your Commissioners approached the Minister with a view to a population Census of the Peninsula being taken. The Minister concurring, the Census was completed towards the end of July last; and your Commissioners have to acknowledge the obligation they are under to the Ministerial Department of the Colonial Secretary in this connection. Similarly, in order that right conclusions might be arrived at with reference to the several Municipalities and to the Divisional Council, it has been necessary to call for a variety of returns from the Officers thereof, as well as from the Joint Committee of the Suburban Municipal Waterworks. Your Commissioners gratefully acknowledge the willingness with which the Officers concerned have supplied these returns, necessitating, as their preparation in many instances did, a considerable amount of labour and back research. The readiness also with which the Municipal books, and indeed the records of all these public bodies, have, when desired, been placed at your Commissioners' service, has also to be acknowledged.

3. Your Commissioners found the scope of their enquiry to expand as they proceeded with it, in consequence of which a considerable amount of evidence, as herewith annexed, has been reported. It speaks well for the public spirit pervading the community that so many prominent persons were to be found willing to give evidence. Some of these persons, Mayors or Councillors of Municipalities, submitted themselves to be examined for hours together, and in some cases for several days in succession. It is hardly necessary to add that your Commissioners have been much aided in their enquiry by this valuable and appreciated co-operation.

4. Your Commissioners propose to divide the following Report into two main Parts. Part I will deal with the Municipalities; Part II with the Divisional Council.

PART I.

THE MUNICIPALITIES.

Jurisch. — 11-27.

5. *Topographical* —The Cape Division, that is, the area over which the Divisional Council of the Cape has jurisdiction under Act 40 of 1889, is in extent approximately 423,786 acres, or 662 square miles. The portion of the Division generally spoken of as "The Peninsula," that is, the tongue of land whose Eastern boundary is roughly the Eastern boundary of the Suburban Municipalities, includes rather more than a fourth of the Division, being in extent 119,745 acres, or 170 square miles. The mountainous configuration of this tongue of land is well known. It attains to an elevation of over 3,000 feet, but the built-upon land contains few if any habitations that are at an altitude of over 300 feet.

6. Of the 119,745 Peninsula acres, the Metropolitan area of the City and the Suburban Municipalities occupies approximately 21,726, exclusive of the Camps Bay portion, which is said to occupy 2,000 acres. This acreage is apportioned to the Municipalities approximately as follows: the City 6,129; Sea Point 1,310; Woodstock 1,609; Mowbray 1,566; Rondebosch 2,189; Claremont 3,386; Wynberg 3,573; and Maitland 1,964. Further Southwards in the Peninsula come the Municipalities of Kalk Bay, in extent 8,974 acres, and of Simonstown, in extent approximately 3,139 acres. Of the areas so municipalised in terms of Proclamations issued in that behalf from time to time, much is still unbuilt on, and, being of considerable elevation, is likely to remain so. On the other hand, there is a considerable area lying in the Constantia locality over which in the future the population may spread itself. The Surveyor-General has supplied the following measurements, all of which have some bearing on the inquiry. Expressed in yards the perimeters of the several Municipalities are as follows:—Cape Town, 32,230; Woodstock, 11,780; Green Point and Sea Point, 12,810; Maitland, 15,290; Mowbray, 13,220; Rondebosch, 17,150; Claremont, 22,110; Wynberg, 21,900; Kalk Bay, 44,210; Simonstown, 32,440. The Surveyor-General also states that the Cape Town boundary is conterminous with that of Green Point and Sea Point for 8,260 yards, and with that of Woodstock for 2,190 yards; of Woodstock with Maitland for 3,840 yards; of Woodstock with Mowbray for 2,270 yards; Mowbray with Maitland for 620 yards; Mowbray with Rondebosch for 4,545 yards; Rondebosch with Claremont for 6,820 yards, and Claremont with Wynberg for 5,165 yards.

Jurisch. — 109.

7. *Progress of Municipalisation in Suburbs.*—Without entering too much into details of local history it may be said broadly that the municipalisation of the lands lying Westward toward Camps Bay or Southward toward

Wynberg is of a date quite modern. Up to about 1863, when tramway and railway enterprise first appeared in the Peninsula, the City of Cape Town was practically self-contained. Particular localities had already received names which are still treasured, but Sea Point, Mowbray, Rondebosch, Claremont and Wynberg had few of the characters which are regarded as urban. It is so far true that upon the selection of Wynberg as a Military Station and upon the settlement of a colony of Malay people at Claremont and Newlands there followed some beginnings of an independent village life. But the occupation of these Suburbs as residential quarters was, practically speaking, the consequence of the facilities offered by railway and tramway to those inhabitants of the City who either preferred a suburban abode or who were subjected to dispersal owing either to the increased value of property in the city, or to occupation of much of it for business and industrial purposes. The latter factor has been particularly effective in populating Woodstock, where, during recent years, house building has been and still is going forward with great activity. The whole area stretching from Sea Point to Diep River is now occupied by an unbroken continuity of dwellings, numbering in all about 23,000.

8. As these movements of the people proceeded, it was only natural that a necessity should arise for some form of local government. Sea Point obtained a private Ordinance in 1839, followed by an Act in 1859, which, however, gave the Municipal Commissioners such small powers that they "could assess no rate without calling the ratepayers together." In 1881, on the passing of the Village Management Act, Boards were established in Wynberg, Claremont, Rondebosch, Mowbray, Woodstock and Maitland. But Village Management Boards were soon found to be inadequate for those rapidly growing communities. In 1882, the general Municipal Act was passed, and advantage was almost immediately taken of it. The four villages of Wynberg, Claremont, Rondebosch, and Mowbray were united to form the Liesbeek Municipality; but in 1886, Wynberg first, and Claremont afterwards, seceded, Rondebosch and Mowbray continuing together until 1890, when they also parted. Woodstock, at first under the Village Management Act, was raised into a Municipality soon after the passing of the 1882 Act. Maitland took advantage of the Municipal Act so recently as 1902. The Sea Point Private Act was repealed in 1896, when the Township came under the general Municipal Law of 1882. Lastly, in 1901, the *Cape Marine Suburbs Syndicate* acquired a valuable property at Camps Bay, in extent some 2,000 acres, the intention of the Syndicate being to exploit their purchase for the purpose of a residential Marine Suburb under independent Municipal control. The Syndicate's lands occupy the littoral southwards of the spur of the Cape Town Municipal area which divides the land from the Municipality of Sea Point. The Town Council of Cape Town, being averse to the creation of another independent authority in their vicinity, immediately gave public notice of their intention to oppose. In a Bill introduced into Parliament in the Session of 1902, the Town Council sought for power to extend the boundary of Cape Town so that it should include the lands of the Cape Marine Suburbs Syndicate, so as to bring the area under the jurisdiction of the Town Council of Cape Town. During the passage of this Bill through the Legislature, the clauses which would have conferred the necessary powers were withdrawn.

Ordinance No. 4 of 1839.

Brown. — 13329.

Wahl. — 12585.

9. From these remarks it will appear that the several Municipalities of the Peninsula may, for the purpose of your Commissioners' enquiry, be arranged into two groups. First, a group of isolated Municipalities, including only Kalk Bay and Simonstown, and secondly, the group of intimately related and continuous Municipalities within what may be conveniently named the Metropolitan area. The Municipal interests of the first group are those of

expanding but distinct communities, out of all relationship of contiguity or of proximity to other populous localities. They are detached, and it is probable that they may go on expanding for many years before they come into touch with other Municipal administrations. But in the case of that populous and unbroken locality, stretching from Sea Point to Diep River, a quite different set of conditions is met with. This locality, though in its entirety not of very considerable extent, is found to be parcelled out into eight autonomous Municipalities. The result is that each of these eight Municipal authorities, while having a very restricted area of control, has its own administrative staff and its own local regulations and methods. Not only so, but, as is shewn in paragraph 6, each Municipality is so widely contiguous with, or is so closely wedged in between its Municipal neighbours, as to be thereby permanently hampered and embarrassed alike by the want of space for the requirements of an expanding community, and by an inability, owing to the circumstances of its position, to carry out independently any appropriate scheme for water supply, for drainage or for sewerage. In the earlier days of these Municipalities, a distinct and separated local control for each was probably unavoidable and may have been beneficial. Already, however, any such necessity, in the opinion of your Commissioners, has disappeared, and with it has disappeared whatever benefit accrued from this multiplication of jurisdictions. Indeed, the evidence has satisfied your Commissioners that the conditions in which these Municipalities now find themselves are neither favourable to their progress nor in the best interests of the ratepayers; conditions indeed which are largely the outcome of that impoverishment of resource and of weakness of administration which naturally results from disunion and divided authority where union and solidarity ought to be.

(A). METROPOLITAN MUNICIPALITIES.

10. Taking up now the case of the Municipalities in the Metropolitan area, your Commissioners first invite attention to the following table which shews the comparative facts of population as disclosed by the Census of 1891 and that of 1902:

TABLE I.—The Census Returns for 1891 and 1902 compared: showing the actual European and Coloured population respectively in those years: the increase per cent. in each class and for each Municipality: the actual totals and the total increases per cent:—

District.	EUROPEAN.			COLOURED.			TOTAL.		
	1891.	1902.	Increase per cent.	1891.	1902.	Increase per cent.	1891.	1902.	Increase per cent.
Green and Sea Point ..	2,163	6,266	169·69	763	1,301	70·51	2,926	7,567	158·61
Cape Town	22,097	37,368	69·10	25,858	26,803	3·65	(a) 47,955	(b) 64,171	33·81
Woodstock	3,735	18,463	394·32	2,080	6,569	215·81	5,815	(c) 25,032	330·47
Maitland	670	1,312	95·82	524	2,635	402·86	1,194	3,947	230·56
Mowbray	1,683	5,915	251·45	1,415	2,322	64·09	3,098	8,237	165·88
Rondebosch	1,860	3,513	87·79	1,518	2,278	50·06	3,378	5,791	71·43
Claremont	2,494	6,434	157·98	3,758	6,732	79·00	6,252	13,166	110·59
Wynberg	2,846	6,280	120·66	2,106	7,417	252·18	4,952	(d) 13,697	176·59
Total.. ..	37,548	85,551	127·84	38,022	56,057	47·43	75,570	141,608	87·38

(a) Excludes Military 2,666
,, Shipping 630
3,296.

(b) ,, Shipping 2,866
,, Military 8,505
,, Uitvlugt Native Location 5,252
16,623

(c) ,, Military 132

(d) ,, ,, 843

11. It will be observed from this table that the total population of the Metropolitan Municipal group is 141,608. This total includes all the inhabitants excepting Military, Shipping and Natives at the Uitvlugt Location, and is the total which will have to be regarded by your Commissioners when financial facts are under consideration. For certain other purposes, however, such as those of water supply and sewerage, the number excluded as in Notes (b), (c) and (d) should be added. This brings up the grand total to 159,206. Assuming this last figure to be correct, it will be seen that in the eleven years between 1891 and 1902, the population has more than doubled, the figures for 1891 giving a total of 78,866. Your Commissioners believe that it is a fair inference from this that in the "near future," for which provision has to be made, the population within the Metropolitan area will be approximately half a million.

12. Among the noticeable features in this return is the fact that, while the total increase in the Metropolitan Municipalities has been 87·38 per cent., in Cape Town itself the increase has only been 33·81 per cent.; Woodstock has, however, increased 330·47 per cent., the white population by itself in that Municipality having increased by 394·32 per cent. Maitland comes next in the percentage increases, although there the population is still but small. Wynberg has increased 176·59 per cent., shewing an increase in the coloured population of 252·18, and of 120·66 per cent. in the European. Mowbray shews an increase of 251·45 per cent. in the European population, and of only 64·09 per cent. in the coloured. The return shews further that more than one witness from the suburbs had erroneous views as to the coloured population of these localities. Thus, with an increase of coloured population in Cape Town of only about 1,000 absolutely —*i.e.*, by 3·65 per cent., it was not expected that the coloured population of the Southern suburbs would shew an increase in the eleven years of 16,552, *i.e.*, from 11,401 to 27,953 or 144·5 per cent. A very noticeable increase of the coloured population is met with in Woodstock, Maitland and Wynberg, in which localities, especially in that of Woodstock, such increases were not anticipated.

13. In view of the highly probable contingency that, before a quarter of a century has passed, there may, in accordance with the experience of the last eleven years, be found a population of some 500,000 persons within the Metropolitan Municipalities, the capability of their area to domicile that number or even a larger number, becomes a question of much importance. The evidence does not indicate that any doubt is entertained on this point by competent persons. For instance, the Mayor of Cape Town says :—"With "increased tram accommodation, practically the whole of the mountain sides "will be built upon. We look forward to seeing considerable building at "Camps Bay." Similarly, witnesses from the suburbs look forward to large increases of population, and have no doubt as to the possibility of such increases being accommodated.

14. The following table will materially assist towards a more definite comprehension of the area's capabilities in this respect :—

TABLE II.—Shewing the Area, the Population, and the density thereof in the several Metropolitan Municipalities, 1902.

District.	Areas in Acres.	Population 1902.	Population per acre of total area.	Remarks.
Cape Town	6,129	(a) 75,542	12·3	The area built on is given as 2,100 acres. (Qn. 103). Much habitable land still available.
Green and Sea Point	1,310	7,567	5·7	Some large estates still habitable. (Qn. 13316).
Woodstock	1,609	(b) 25,164	15·6	One-half of the total area still available for building. (Qn. 3323).
Mowbray	1,566	8,237	5·3	"No great extent available." (Qn. 319).
Rondebosch	2,189	5,791	2·6	250 acres well built over. Land equal to 2,000 plots available, exclusive of Camp Ground. (Qn. 8203).
Claremont	3,386	13,166	4·0	Mr. Donnan says 3,790 acres in all. Area built on 375 acres, giving density thereon 35 per acre. Much land not habitable in this district. (Qn. 2148).
Wynberg	3,573	(c) 14,540	4·1	No part very densely populated, but centre fairly well populated. (Qn. 6021).
Maitland	1,964	3,947	2	Not at present a very populous district.
Total	21,726	153,954	(d) 7·5	

(a) Includes Shipping and Military—11,371.
(b) Including Military—132.
(c) Includes Military—843.
(d) Average density per acre of total area.

15. The increase in the rateable value of property within the Metropolitan Municipalities has been remarkable during recent years, and the fact itself is of considerable importance in connection with your Commissioners' enquiry. The increase is due partly to new buildings and partly to rise in valuation, probably about equally to either source. The subjoined Table III. gives the rateable value in each Municipality, and the totals of the eight components of the Municipal group in combination for the six years, 1897–1902.

TABLE III.—The Rateable values in the Metropolitan Municipalities during six years, 1897-1902; the percentage of Increases during the whole period, and the rateable value per head of population in 1902, excluding Military and Natives.

	1897.	1898.	1899.	1900.	1901.	1902.	Percentage of Increase six years.	Rateable value per head 1902, ex-Military and Natives.
	£	£	£	£	£	£		£ s. d.
Cape Town	5,066,420	5,674,280	8,613,690	9,020,210	9,475,260	12,272,190	142·226	191 4 10
Green and Sea Point ..	910,705	993,376	1,048,590	1,109,650	1,250,500	1,366,325	50·029	180 11 3
Woodstock	973,800	1,197,835	1,232,420	1,426,105	1,613,405	2,071,900	112·769	82 15 5
Maitland	36,166	52,983	82,757	106,889	127,200	310,000	757·294	78 10 9
Mowbray	353,000	433,000	525,000	614,500	690,000	820,000	132·294	99 11 0
Rondebosch	567,601	623,386	660,861	695,246	841,395	874,344	54·042	150 19 6
Claremont	816,000	869,000	935,000	995,000	1,197,000	1,273,500	56·066	96 14 6
Wynberg	592,107	776,877	861,957	1,023,816	1,124,186	2,025,692	242·115	147 17 10
Totals .. .	9,315,799	10,620,737	13,960,275	14,931,416	816,316,46	21,013,951	125·573	

In a separate column will be found the percentage of increase in each Municipality over the period named, and in another column will be found the rateable value per head in 1902: the highest being for Cape Town, £191 4s. 10d., the lowest for Maitland, £78 10s. 9d. The mean is £141 6s. It should be borne in mind that Churches, Colleges and Schools, Government Property, Homes and Orphanages, being exempt from rates, are not included in the table. In Cape Town alone these represented in 1902 a valuation of £1,798,600. Municipal property is also of course excluded.

16. If the actual facts of the population for 1897 were available, an accurate comparison could be made between the rateable value per head in that year and in 1902. Assuming, however, that in 1897 one-half of the actual increase in population disclosed by the census of 1902 had been consummated, the subjoined Table IV. has been framed, and shows that since 1897 there has been a great increase in the rateable value per head in all the Municipalities with the single exception of Green and Sea Point:

TABLE IV.—Shewing the Rateable value per head in each of the Metropolitan Municipalities in 1897 (population estimated) and 1902.

	Rateable value per head in 1897.	Rateable value per head in 1902.	Increase or Decrease.
	£ s. d.	£ s. d.	£ s. d.
Cape Town	90 0 0	191 4 10	101 4 10
Green and Sea Point ..	219 0 0	180 11 3	— 38 8 9
Woodstock	67 0 0	82 15 5	15 15 5
Maitland	(a) 14 10 0	78 10 9	64 0 9
Mowbray	62 0 0	99 11 0	37 11 0
Rondebosch	123 0 0	150 19 8	27 19 8
Claremont	84 0 0	96 14 6	12 14 6
Wynberg	64 0 0	147 17 10	83 17 10

(a) Divisional Council valuation for Village Management Board.

17 To complete the general summaries of statistics pertaining to the group of Metropolitan Municipalities, there remains to be added a table showing their annual revenues, which your Commissioners herewith subjoin. The Table (V.) shows the progressive tendency of the several revenues for the five calendar years, 1897—1901. The figures are those of the total revenue, and include, for Cape Town, the revenue from electric lighting, a service which, in the case of the other Municipalities, is supplied by a public Company. For Woodstock, Maitland, Mowbray, Rondebosch and Claremont the totals include the *pro rata* receipts of the Suburban Municipal Waterworks during 1900 and 1901. The Table shows that the total increase has been in excess of 100 per cent.

TABLE V.--Showing the Public Revenue of the Metropolitan Municipalities during the Five Years 1897–1901.

	1897.	1898.	1899.	1900.	1901.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Cape Town	144,119 19 1	159,994 5 9	195,133 11 2	245,707 7 7	285,399 0 2
Green and Sea Point	5,723 17 3	12,813 17 4	11,438 6 9	13,401 18 3	16,206 7 5
Woodstock	8,987 1 3	11,690 4 3	13,430 3 8	35,007 7 0	28,964 4 7
Maitland	486 19 0	504 16 11	656 1 9	1,160 10 10	708 14 3
Mowbray	4,518 15 0	4,975 2 6	6,585 4 2	10,706 7 9	14,593 6 10
Rondebosch	5,551 3 10	7,611 10 1	7,479 8 1	12,397 1 8	17,006 14 9
Claremont	8,885 14 0	10,827 6 6	13,741 15 11	14,651 18 11	22,192 3 7
Wynberg	6,230 15 2	10,857 11 6	12,374 10 7	13,415 1 10	15,278 13 9
Totals	£184,504 4 7	219,274 14 10	260,839 2 1	346,447 13 10	400,349 5 4

18. To deal with the statistics of Area, Population, Rateable value, and Revenue pertaining to the group of Metropolitan Municipalities in a manner suitable for comparison and for other purposes, your Commissioners have prepared the following Table VI which shows those statistics arranged as percentages:—

TABLE VI.—Shewing percentages of Area, Population, Rateable Value (1902) and Revenue (1901) of the several Municipalities in the Metropolitan group.

Municipality.	Percentage of Area.	Percentage of Population.	Percentage of Rateable values.	Percentage of Total Ordinary Revenue.	Percentage of all Receipts, viz.: Ord. Revenue, Water and Electric Lighting.
Cape Town	28·2	45·5	58·5	70 12	71·29
Green and Sea Point ..	6·0	5·4	6 4	6·07	4 05
Woodstock	7·4	17·6	9·7	6·86	7·23
Mowbray	7·2	5·9	3·9	3·00	3·64
Rondebosch	10 0	3·9	4·2	3·90	4·25
Claremont	15 6	9·3	6·4	5·84	5·54
Wynberg	16 6	9·8	9·5	3·94	3·82
Maitland	9·0	2 6	1·1	·27	·18
Total ..	100	100	100	100	100

NOTE.—The Electric Lighting receipts are available only in the case of Cape Town, the Council of which is the only one which gives direct supply. The water receipts from Green and Sea Point are merged into the Cape Town receipts. The water receipts of Woodstock, Mowbray, Rondebosch and Claremont (excluding a certain proportion of the first-named Municipality) are obtained through the Suburban Municipal Waterworks.

WATER SUPPLY.

19. Continuing with the case of the Metropolitan Municipalities to which the preceding paragraphs and Tables have reference, your Commissioners proceed to consider the question of their Water Supply. The instruction to your Commissioners is to report upon the "adequacy or otherwise" of that supply for the present population and for the probable population of the "near future." By referring to Table 1, given on page 5, it will be seen that the total population of those Municipalities, as in July, 1902, and as it must be reckoned for the purposes of a Water Supply, is 150,206; wherefore it will be by the reasonable requirements of the population as a whole that your Commissioners will have to test the adequacy of the present water supply of those Municipalities. But for the framing of a report on the adequacy of the present water supply, or of any proposed augmentation thereof intended to meet the requirements of the probable population of the near future, two things must be determined beforehand. First, there must be determined the particular term of years for which it is considered expedient that any scheme of augmentation of the present supply should provide an adequate service: and, secondly, having ascertained the present population, and, as accurately as possible, the rate of increase exhibited by that population in the past, it is necessary to frame a numerical estimate of the probable population as at the expiration of the particular future term of years agreed upon. Now, with reference to the first of these requisites, your Commissioners find from the evidence that, allowing for the time for the completion of the indispensable preliminary observations and surveys, for obtaining the necessary legal powers and for the time which will be occupied in construction, five years from now must elapse before any scheme finally resolved upon can be brought into full working order. Then, your Commissioners are of opinion that any scheme such as they could recommend the Municipalities to adopt, ought to be one which will continue to meet the

requirements of the population in accordance with the probable number which that population will have reached twenty years after the scheme has been so completed—that is, the population as at 25 years from the present time. With reference to the second requisite—the present population being 159,206, the rate of increase being 101·88 per cent. in eleven years, and there being no reason to suppose that the rate of increase will be less in the future than it has been in the past, your Commissioners estimate that, at the end of twenty-five years, the population of those Municipalities will be at least 500,000. In the opinion of your Commissioners therefore, any enterprise presently to be set on foot for the purpose of augmenting the Water Supply of the Metropolitan Municipalities should be one which, in combination with the sources of supply now available, should be adequate for and anticipate the requirements of a population of 500,000.

Before proceeding further, it will be advisable to formulate the capabilities of those sources of supply already available and of the expansion of those sources now in progress.

20. The Municipalities which are grouped in the Metropolitan area are at present supplied with water by three distinct enterprises or systems. These are

First.—The Cape Town System; responsible now for Cape Town, Green Point and Sea Point and Woodstock (in part) and hereafter also Camps Bay.

Second.—The Suburban Municipal Waterworks System; responsible for Woodstock (in part), for Mowbray, Rondebosch and Claremont, and hereafter for Maitland.

Third.—The Wynberg System, supplying the Municipality of Wynberg and a few persons domiciled in the Municipality of Claremont.

21. I.—*The Cape Town System.*—Excluding the yield of certain valuable springs situated within the Municipal boundary, a yield which is estimated at 500,000 gallons per day for the dry season, the Cape Town System is one for the collection of the rainfall from a catchment area situated on the top of Table Mountain, and for its storage in reservoirs built on the slopes of the mountain.

The storage reservoirs and their capacities are as follows:—

	Capacity.
Nos. 1 and 2 Reservoirs	15,000,000 Galls.
Molteno Reservoir	35,000,000 Galls.
Table Mountain or Woodhead Reservoir	225,000,000 Galls.
	275,000,000 Galls.

There are also the following service reservoirs:—

Sea Point Reservoir	100,000 Galls.
Mocke or Kloof Nek Reservoir	200,000 Galls.

In addition to the completed reservoirs there is, in course of construction on the top of Table Mountain, another which is estimated to be of 200,000,000 gallons capacity. It is said that this reservoir may be ready for service in twelve months' time. The City Waterworks Engineer has come to the conclusion that the consumers within Cape Town's limits of supply have to depend upon the stored water during six or seven months in every year. For the purpose of estimating the resources of this system he says, "You cannot take the 280 million gallons stored and divide it by 80,000 (his estimate of the consumers) and divide the result by the number of days in the dry season," in order to find the amount stored per head. There are a great many other factors to be taken into consideration. At the present time it equals 16 gallons per head per day for 200 days, and with the contents of the reservoir now being constructed the stored water will equal 27 gallons per day for 80,000 people for 200 days. But it is doubtful if 80,000 is a sufficient estimate for the present

Wynne-Roberts. 640.

day population. The city population, for the purpose of water supply, may be taken to include the Military, the Shipping and the native population, in all 80,714, to which there falls to be added the population of Green Point and Sea Point, 7,567 ; total 88,281. The per head allowance per day is then reduced to below 25 galls. and indeed is still further reduced by the 55,000 gallons supplied daily in bulk to Woodstock during the dry season. This estimate does not include the yield from the springs, which may be taken to be at the rate of 5 galls. per head It is thus seen that the Cape Town System when completed, with the new reservoir at present being constructed, barely allows a sufficient reserve for a 200 days supply for the population already dependent thereon. Looking forward to the 25 years which your Commissioners adopt as the "near future," for which water supply should be provided, and accepting for those 25 years the rate of population increase which has governed the last eleven years, there will probably be at least 180,000 consumers in the whole area within what would be the Cape Town limits of supply. For this population, without taking into account the supply given in bulk to Woodstock, the capacity of the Waterworks will be altogether insufficient. It is not to be wondered at therefore that the City Waterworks Engineer, speaking entirely in view of Cape Town's resources, says :—"I am afraid that the time is very close at hand when we must take steps to augment our supply" ; and again "The Town cannot wait: if the domestic consumption increases, and the trade consumption and the consumption at the Docks increases in the future in the same rate as it has in the past, we shall have exceeded our supply in two years." The Chairman of the City Council's Waterworks Committee gives similar evidence. "The supply from the mountain will soon be insufficient for the requirements of the city." The storage capacity is sufficient "only for a time ; not for any lengthened period." The Mayor says, "I am quite sure that Cape Town within another decade will require a very much larger reserve quantity of water for its summer consumption than it at present possesses." The opinion of the Consulting Waterworks Engineer is to the same effect.

Wynne-Roberts. — 8644.

Bell. — 11613-18.

Thorne. — 13822.

T. Stewart. — 12926.

22. II. *The Suburban Municipal Waterworks System.*—In 1898, by an Act of the Colonial Parliament, the Municipalities of Woodstock, Mowbray, Rondebosch, and Claremont became the joint purchasers of a water supply enterprise which had been existing as a commercial concern for ten years. The Act came into force on January 1st, 1899. The sources of water controlled and distributed by this System are certain springs situated in Rondebosch and Claremont, the principal spring being the "Albion Spring," which is situated in Rondebosch. When the enterprise passed to the Municipalities it appears to have been estimated that the yield per day from the springs would be 1½ million gallons. The distribution proposed at the time of purchase was

Louw — 1012-15

Liesbeek River, riparian owner's share ..	500,000	Galls. p.d.
Ohlsson's servitudes	175,000	,, ,,
The Municipalities on a population basis :		
Claremont	200,000	,, ,,
Woodstock	200,000	,, ,,
Rondebosch	200,000	,, ,,
Mowbray	100,000	,, ,,
	1,375,000	Galls. p.d.

Hence it was believed that arrangements could be made to supply the Railway Department with 120,000 gallons per day, the Divisional Council with 7,000 gallons, and the Maitland Cemetery with 2,000 gallons, in all 1,500,000 gallons, per day. But in 1901 the total yield of the springs for the year was measured at 349,378,500 gallons, being less than at the rate of 1 million gallons per day. The shortfall thus disclosed appears also to have

Louw — 1018.

Heath — 2035-46.

Leuw. — 1012.

been experienced before the purchase. One result of the shortfall has been, and still is, that the riparian owners on the Liesbeek, including the inhabitants of Maitland, have been deprived of their rights notwithstanding a declaration of those rights by the Supreme Court. The Chairman of the Suburban Municipal Waterworks Committee said that it was mutually agreed that the distribution of the water was to be on the population basis as above stated; your Commissioners are therefore unable to understand the equity of the actual result. For Woodstock with a population of 25,032, Claremont with a population of 13,166, and Rondebosch with a population of 5,791, each receives 200,000 gallons per day. while Mowbray with its 8,237 of population receives 100,000 gallons. It is not surprising therefore to find, as will more particularly be disclosed in a later section of the report, that dissatisfaction was soon felt both with the available supply and with the method of its distribution. The population within this System's limits of supply has increased from 18,546 in 1891 to 52,246 in 1902, or at the rate of 280 per cent.; and as the total yield, as measured in 1901, is under a million gallons per day, of which 175,000 gallons have to be given in satisfaction of the Ohlsson's servitude, 130,000 gallons are sold to the Railway Department, and some odd thousands more to casual customers, the quantity available for the population within the limits of supply remains at 700,000 gallons per day, giving a dividend of about 14 gallons per head per day for the whole year. But as there is no reserve of water stored, and as the yield of the springs is much higher in winter than in summer, it is abundantly clear that the average consumer must have a scarce time during the dry season. Your Commissioners therefore need have no hesitation in saying that the Suburban Municipal Waterworks provide a supply totally indequate even for existing needs, and fatally inadequate in view of the needs of the near future, when, in accordance with estimates such as have been applied to the Cape Town System, the consumers within the limits of supply of the Suburban Municipal Waterworks will number 240,000 at least. The inadequacy will not be made good by the completion of the storage reservoir now being built at Newlands on the mountain slope, its capacity being only 30 million gallons.

23. III. *The Wynberg System.*—The permanent sources of this supply are certain springs in the southern slope of Table Mountain, rising partly on land granted in 1897 to the Municipality by the Colonial Government, and partly on the land, adjoining that grant, acquired by purchase on behalf of the Municipality about the same time. This land, known as "The Orange Kloof Farm," measures 1,100 acres, and forms a valuable catchment area, from which, reckoning by the average rainfall, and allowing for run-off equal to two-thirds of that rainfall, a daily supply, equal to $2\frac{1}{2}$ million gallons throughout the year, is believed to be obtainable. But in order to utilise the whole of the lands as a catchment area for this supply, a storage reservoir would have to be built at a place from which the contents could only be delivered to the consumers within the Wynberg limits of supply, by being pumped over Constantia Nek or by being led through a tunnel there constructed. The yield of the permanent springs varies from a minimum of 70,000 gallons per day in the dry season, to 300,000 gallons per day in winter. Again, in summer, the light rains that occasionally fall on the mountain catchment and on a portion of the Orange Kloof Farm adjoining the mountain catchment, favourably influence the available supply. Much more water appears to be used by the consumers in summer than in winter; the summer consumption being estimated at 450,0 0 gallons per day; the winter consumption at 170,000 gallons per day. The lessened consumption in winter enables the Municipality to fill their storage Reservoirs, of which there are two, one having a capacity of 11 million gallons, the other having a capacity of 23 million gallons. The capacity of the former is now being increased to about 30 million gallons. The distribution of water is controlled in the following manner. The run off and the

Vollmer. — 6045-61.

Vollmer. — 6465.

yield from the springs suffice for the consumption during the winter and part of the early summer, but, as the summer season advances, the supply from the several sources diminishes, and then the reserve in the reservoir is drawn upon for equalising purposes. The evidence as to the quantity of water available per head of population is somewhat confusing; and probably the actual facts are not determined. There are 2,500 habitations in the Wynberg area, but only 1,500 of them have leadings. The average consumption per day for the year appears to be 250,000 gallons for domestic purposes; the remainder is used for gardens, supplied to the Military, or sold to the Railway Department. The existing population being 13,697, there would be an average of 16 gallons per head for domestic consumption; but, as only two-thirds of the population have leadings, and as there is no free distribution, the average to the paying consumer will be 27 gallons per day, exclusive of what is supplied to gardens. On the other hand, if the whole 450,000 gallons, which the summer supply is said to amount to, were distributed *pro rata* amongst the population, the quota would be about 26 gallons per day.

Vollmer. 6220-4.

24. Naturally it is for the Municipal Authorities to direct and control the distribution of the Town's water supply, and no doubt they do so with due regard to the fitness of things. What your Commissioners have to point out is that, without allowing for any deduction in respect of the water used for gardens, or supplied to the Military, or to the Railway Department, the existing conservancy provides only a sufficiency for the population at present within the area. As has been seen, the population is 13,697, and the rate of increase during the last eleven years has been 176·59 per cent. Having assumed 500,000 as the estimate of the probable population of the whole Metropolitan water area in 1927, and having assigned 420,000 as the population therein to be served by the two water Systems already considered, there remains an estimated population of 80,000 for the area to be supplied in 1927 by the Wynberg system. Allowing 30 gallons per head per diem, the daily demand upon this system in the near future will be in all 2,400,000 gallons, a quantity which is as nearly as possible two millions in excess of the supply available at the present time.

25. *Summary and Results.*—Accepting 500,000 as the population in the near future (1927) of the Water Area of the Metropolitan Municipalities for which provision has to be made, the question arises to what extent will the existing Waterworks, in combination or in co-operation, satisfy the necessary provision. Assuming thirty gallons per head per day as the minimum which it will be advisable to secure, your Commissioners find that the daily requirements of the 500,000 people will amount to 15,000,000 gallons. Towards this amount, the three Water Supply systems which have just been reviewed will contribute as follows:—

(1) The Cape Town reservoirs (including the reservoir now being constructed) will supply throughout the year daily	2,500,000 gallons.
(2) Springs which are the property of the Corporation of Cape Town will supply throughout the year daily...	500,000 gallons.
(3) The Suburban Municipal Waterworks System, with the adjunct of the reservoir now being constructed, will supply throughout the year—daily	1,000,000 gallons.
(4) The Wynberg System will supply throughout the year—daily ...	400,000 gallons.
Total daily ...	4,400,000 gallons.
Deficiency ...	10,600,000 gallons.
Estimated Total Requirement ...	15,000,000 gallons.

26. Your Commissioners are therefore of opinion that in the facts and figures thus presented, those who are responsible for the health and welfare of the people in the Metropolitan area are now confronted with a most serious problem and one which will become more serious still before very long. Your Commissioners also point out that while they indicate the deficiency to be made good in the daily water supply of the future at 10,500,000 gallons for the whole metropolitan area, there are witnesses who believe that at no very remote date the quantity named will be required for the City alone.* Your Commissioners believe that the element of uncertainty creeps in both with the rate of increase of consumption and the length of the period which the expression "near future" is meant to cover. Enough has here been said to prove that large works are even now urgently demanded. In naming the deficiency at over ten million gallons for the Metropolitan water area, your Commissioners believe that those who are to be responsible for the necessary works, while keeping that amount in view as the minimum additional supply to be provided for the "near future," should nevertheless pay due regard to the necessity of adopting only such a scheme as will be capable of being worked up to meeting any demand up to even four times that quantity.

T. Stewart. 12942-63.

27. *Sources of Additional Supply.*—There is a general agreement amongst the witnesses that the future water supply for the Metropolitan area cannot be obtained within the Peninsula. From the rainfall on Table Mountain, and from certain now unused but limited catchment areas, some augmentation of the supply is possible, but your Commissioners find no evidence to support the view that the hitherto unexploited resources of the Mountain can be depended upon as the water conservancy of the future. The Water Works Engineer for the City is particularly clear on this point. He says:—"Judging from the rainfall and the area of catchment,† I do not think that you can depend upon Table Mountain for a very much larger supply. I think it would be folly to lay ourselves out for further small works on Table Mountain, when we shall be in need of so very much larger supplies. It is useless going in for small schemes, when all the possibilities point to something very much larger being essential to the welfare of the community." The Consulting Water Works Engineer concurs, saying: "I should not recommend the Town Council of Cape Town to construct any additional large works there," *i.e.*, on Table Mountain.

T. Stewart. 12937.

28. Again no witness has appeared before your Commissioners who has been able to say that there is within any reasonable distance of the Peninsula a perennially flowing stream from which, all the year round, an available daily supply approaching ten million gallons could be drawn. Every one of the so-called rivers within that range is little better than a storm-water channel into which the winter rainfall run-off finds its way from the governing water shed. These "rivers" run strongly during the rainy season, *i.e.*, from April to September,—only to dwindle during the summer months to streams so attenuated as to be all but useless as sources of supply for any town of considerable size. It follows from this that in judging of a "river" as a source of supply, its winter flow must be strong enough to yield not only the 10 to 40 million gallons for daily use during the six months of winter, but at least another 10 to 40 million gallons for storage for the daily supply during the—say—200 days of the dry season. In short, storage is here an inseparable and indispensable element in every possible scheme; and in the present case the minimum storage capacity required will be at the rate of 10 million gallons per day for 200 days, or 2,000 million gallons in all.

29. The selection of a suitable locality is a matter requiring great consideration. It must be a locality containing a catchment area whose

* "I recommended a scheme a year ago for a supply for Cape Town of 10,000,000 gallons per day." The Consulting Waterworks Engineer, Qn. 12970.

† The run-off on Table Mountain varies from 60 to 75 per cent. of the rainfall. Qn. 12931.

rainfall will yield a run-off equal to the storage reserve supply required. Conveniently situated within the catchment area there should be space for a reservoir of the required capacity, and the locality should allow of the works being constructed at an elevation which will permit of the delivery of the stored water by gravitation. These points are vital, and almost equally so are certain geological features of the country, the possibility of obtaining in the locality a solid foundation for the necessary structures, and its reasonable distance from the area to be supplied. Your Commissioners have evidence from experts regarding several localities; but no expert, with such scanty information only as he has in his possession, is prepared to stake his professional reputation so far as definitely to recommend any one of them. There is a general agreement on the part of the experts that a much more complete hydrographic survey of every one of these localities, and a more exhaustive observation of their several rainfalls extending over two years, are absolutely necessary before any final recommendation can be satisfactorily ar ived at.

30. Your Commissioners are informed that the Town Council of Cape Town have appropriated moneys for carrying out certain observations in this behalf, but the Town Council declines at this time to have the nature of these investigations made public. Your Commissioners took occasion to submit this aspect of this portion of their enquiry to the Minister, with a view to having the necessary observations of certain localities carried out by officers of the Public Works Department. The correspondence, which will be found in Appendix "K," shows that the Minister took the view that the carrying out of these observations was a duty pertaining to the local authority. Your Commissioners have therefore to content themselves with stating in effect the evidence submitted to them. Reverting to the localities which have been brought to the notice of your Commissioners, there can be no doubt that, if the important element of distance from the area to be supplied is to have weight in the determination, several of those localities, such as the Twenty-four Rivers beyond Saron and the Breede River at Ceres, must fall out of consideration, inasmuch as they offer no advantages which can be regarded as compensating the increase in cost which their greater distance would entail. Your Commissioners have had no evidence submitted to them which in any way subverts the following statement by Mr. Thomas Stewart, M.I.C.E., viz :—"the range of mountains extending from Hottentots Holland to near Tulbagh Kloof contains a number of sources from which an ample supply could be obtained for the future, not only for the future requirements of Cape Town, but of the Peninsula as a whole. In fact I might go so far as to say that I am certain that there are areas from 40 to 60 square miles which will yield from 20,000,000 gallons to 30,000,000 gallons a day at a sufficient height to enable it to be brought into Cape Town." The witness proceeds to name several catchment areas within the range with which he is acquainted—the Steenbras, Palmiet River, Witte River, and Du Toits Kloof. The Oliphant's Hoek catchment area is also within this range, but of it the witness cannot speak from observation. In support of these statements by Mr. Stewart, another and an independent witness gave collateral evidence—"The Palmiet River was gauged," Mr. Erskine says, "where the Dwars River and the Leeuw River join, and it gave a supply of 40,000,000 gallons a day in the dry season, and about 120,000,000 gallons a day during the flood season." Your Commissioners understand that these gaugings were made at a place 900 feet above sea level, but they are not prepared to say that Mr. Erskine's observations have been sufficiently exhaustive and prolonged to warrant the assumption that 40,000,000 gallons of running water can be obtained daily from this source throughout the year.

Thorne. — 13828.

T. Stewart. — 12970.

Erskine. — 10731.

31. As the schemes for bringing water to the Peninsula, known as the Oliphant's Hoek scheme and the Steenbras scheme respectively, come within

the possibilities of supply from the mountain range which has just been considered, your Commissioners may here recite some facts concerning them. The Oliphant's Hoek proposals emanated from the Town Council of Woodstock. It would appear that before the Suburban Municipal Waterworks Act came into force, the inhabitants of Woodstock suffered from water famine; and, there being no prospect of improvement in this respect under the new *regime* of the Joint Committee, the Mayor, in May, 1899, arranged with Mr. Mostert for the purchase, in the Municipality's interest, of a piece of land known as "Oliphant's Hoek," being the one-fourth part of the original farm "La Roche," situated in the Paarl Division, 45 miles from Woodstock. Rising in the Drakenstein Mountains and within the lands of "Oliphant's Hoek," a stream, bearing the same name, flows westwards eight miles to "Coma Drift," where, being joined by other streams, it becomes the Wemmer's Hoek River, which again is a tributary of the Berg River, and falls into it after passing a few other properties. Oliphant's Hoek farm was acquired on behalf of Woodstock for £5,000, and what were represented to be "the riparian rights down to the Berg River" were acquired for a further sum of £20,000. The purchase price of £5,000 was charged against proceeds of land sales, while for the £20,000 certain debentures, bearing interest at 5 per cent., were issued. This enterprise proposes to construct, at a point below "Coma Drift," a storage reservoir of 280 million gallons capacity at a cost of £75,000; whence the water is to be conveyed over the intervening 45 miles in iron pipes, delivering 3 million gallons per day, at a total estimated cost for the scheme of £300,000. The Council have had difficulties with this purchase. It was made in the first instance without the consent of the ratepayers, and without the previous sanction of the Governor, which was indispensable. The Council has been interdicted by the Supreme Court from using Municipal funds to pay interest on the debentures, but the ratepayers in public meeting have since resolved not to part with the property. Your Commissioners find no reason to doubt that the water found within this locality is excellent in quality and sufficient in quantity to yield the promised three million gallons a day of reserve water for a dry season of ninety-three days. But the evidence brought before your Commissioners did not satisfy them that the preliminary examinations and survey of the locality had been sufficiently exhaustive* to warrant a preference in its favour, especially in view of the much larger reserve of 10 to 40 million gallons a day which, in the opinion of your Commissioners, has to be secured. Moreover the adequacy of the collecting area in respect of its rainfall run-off has not been ascertained through two seasons, the possibility of placing thereon a reservoir of the required capacity has not been determined, the suitabilty of the ground has not been tested by trial pits, and the rights of the riparian owners along the Berg River are still unknown, and may prove an insuperable difficulty. On the whole, your Commissioners believe that the ratepayers of Woodstock may well congratulate themselves on not having been finally committed to what has many of the characters of a hastily-considered scheme.

32. The Steenbras River, a short stream rising in the Hottentots Holland mountains and falling into False Bay on the Eastern coast, between Gordon's Bay and Kogel Bay, appears to have been first seriously thought of as a source of water for the Peninsula in 1898, when it was mooted at a conference of the Town Councils of Rondebosch and Mowbray, which met to consider the question of augmenting the admittedly poor supply these Municipalities secured from the Suburban Company. As a result of inspections and reports, the two Town Councils effected jointly the purchase of a

* The Town Engineer of Woodstock (Qn. 4140-50) takes his measurement of the Oliphant's Hoek catchment area from the Surveyor-General's map, and assumes a rainfall of 30 inches on the return which is given in the "Argus Annual."

certain piece of land, known as "Stanford's Farm," on the river, which farm, with certain land contiguous thereto, was thought to carry with it the water rights of the Steenbras River. The purchase price was £20,000. The proposal was to construct a storage reservoir in the Steenbras River valley, where a collecting area some 24 square miles in extent would be obtainable, and where a very considerable reserve of water could be stored. The water was to be brought by pipe large enough, if such was desired, to deliver water to villages on the route; and to terminate at Mowbray for the supply of Rondebosch, Claremont and Mowbray. "Our idea is," said the Mayor of Mowbray, "that the present Committee (*i.e.*, the joint Committee of the Suburban Municipal Waterworks) should take it over; and they are willing." Mr. T. Stewart, M.I.C.E., was professionally engaged to submit plans and estimates (his report will be found in Appendix C). Woodstock was not to participate, because Woodstock was already busy with the Oliphant's Hoek scheme "which they wanted to keep for themselves." Cape Town was to have its independent supply from a third source—the "Witte River," just above Wellington. The Steenbras enterprise, however, has been held in abeyance; the reason being that the results of a more comprehensive survey than was known to the Councils at the time when they purchased "Stanford's Farm," included certain essential Crown Lands in another property, namely, that of "Kogel Bay Farm." Litigation following, the Supreme Court ruled, *inter alia*, the so-called Crown Land to be part of "Kogel Bay Farm." Against this decision an appeal has been lodged, and the scheme has so far been baulked. Objection has been taken to the character of the water obtainable from this area on account of its being much discoloured by the abundant growth of "*Palmiet*," concerning which a memorandum will be found in Appendix I. It is doubtful if this plant can be got rid of; but, on the other hand, it is said to be harmless. The collecting area of the Steenbras is considerable, and the average rainfall has been fairly well ascertained. But, to bring the scheme to a completion, it will be necessary to expropriate "three farms," which would have to be submerged by the storage reservoir. The Mayor of Mowbray said: "These three farms he (Mr. Struben) offers us for £23,000, and the water scheme could not go on unless we bought them."

Tonkin. — 560-71.

Tonkin. — 561-71.

33. Your Commissioners are instructed to submit an estimate of the cost of any adequate scheme, but from what has already been said, it cannot but be apparent that any such estimate must be made with hesitation. Your Commissioners, however, have been supplied with some information, from which it seems possible to arrive at a knowledge of what will be the minimum cost of such an enterprise as will be acceptable and complete.

34. Mr. Stewart states that to bring in a ten million gallons daily supply will require a thirty-six inch iron pipe. A thirty-six inch pipe, under certain conditions of pressure, will deliver 10,000,000 gallons in 24 hours. To lay a pipe in a manner suitable for a scheme of such magnitude will, in his opinion, cost £25,000 per mile. The nearest locality in which the required water can be collected will probably be fifty miles distant from the area where it has to be delivered. The pipe will therefore cost £1,250,000.

T. Stewart. — 12970-13164.

35. Reservoir construction, as far as cost is concerned, varies much. Cape Town mountain reservoirs have cost in round figures £1,000 per million gallons capacity. The reservoir now being built at Newlands was started on an estimate of £2,500 per million gallons capacity. Mr. Stewart said, "It is in the case of making a reservoir that the uncertainty in cost is likely to arise. I have seldom exceeded the estimate where the works have consisted principally of a pipe line, unless there has been a great rise in the price of iron in England between the dates of the furnishing of the estimates and the beginning of the works, which is sometimes a matter of years."

T. Stewart. — 13166.

36. With these facts to guide them, your Commissioners are of opinion that 1½ millions sterling is a reasonable minimum of cost likely to be incurred in storing a sufficiency of reserve water for a 200 days supply of 10,000,000 gallons, and in bringing that amount of water by means of an iron pipe over 45 or 50 miles of country. This estimate does not include compensation to owners, cost of lands to be acquired, wayleaves, and other incidental charges.

DRAINAGE.

37. In this section the term "drainage" is used by your Commissioners to designate those provisions which have been made, or which still need to be made, within the area controlled by the Metropolitan Municipalities for carrying off the unstored rainfall. The elevated mountain centre, with its precipitous sides and steep slopes, while in one way favourable to drainage, nevertheless creates some special difficulties. In the sudden, severe and frequently recurring storms in winter, immense volumes of water flow over the mountain's cliffs and the sloping lower lands. To reach river or sea, these volumes of water have to traverse the inhabited zone that lies between. A rainfall is often registered of four inches or even more in twenty-four hours and the storms are productive of drainage difficulties which are bound to recur periodically. The deep water-worn channels met with on the mountain face are the "testimony of the rocks" to what has been, and the experience of the winter season just ended (1902) confirms the evidence. Not only so, but in all such localities, as wood and undergrowth disappear, as the grassy slopes are laid bare, and as the larger areas are built upon, the rush of stormwater tends to become more violent, precipitate and resistless. Therefore, it goes almost without saying that in the absence of adequate provision for confining and directing the flood much damage to property, public and private, must result, damage which, in the one case as in the other, may have to be made good by the local authority if neglect be proved.

G. 51—'91. 38. Reporting on the drainage of Cape Town, Mr. Dunscombe says: "The district is divided by numerous minor valley lines or watercourses which formerly were open channels; and as the City has extended these have been converted into culverted conduits." This Engineer further refers to "several old brick culverts of large capacity that have been used for surface water; and so, to make complete provision for all surface water it will only be necessary to construct some short lengths of new water culverts in certain streets." But his Report does not appear to have been fully adopted by the Town Council. For it is found that in the following year, that is in 1892, the Council appointed their own Drainage Engineer, who is now at the instance of the Council carrying out a system of stormwater drainage designed by him for the Municipality. It was not until January, 1899, however, that a beginning was really made with the construction of the stormwater sewers. These sewers are designed to carry away all the rainwater which may fall upon areas of land within the mountainous amphitheatre of Table Mountain in which the City lies. This officer states that about 11 miles of stormwater sewers have been laid (May, 1902), and that "the works in connection with the stormwater drainage are going on." In his annual report to the Council in June last, this Officer also says:— "Flooding during the year has been much reduced even with the heavy rains which have been experienced." Your Commissioners are of opinion that the completion of the City drainage scheme is a matter of urgent necessity. For while there are 73 miles of sewerage sewers within the City, there are, as has been shewn, only 11 miles of stormwater sewers laid down. Again, your Commissioners find from the annual report already referred to that "at various times during the year (1901–'02) quite a number of old sewers have collapsed in different parts of the City." Now when Mr. Dunscombe reported in 1891, there were 7 miles 103 yards of these old storm-

Rigby. 2147.

Rigby. 2145.

Rigby. 2150-1.

water conduits in use; and it may be that some miles of these may not yet be re-built, and may thus be liable to such collapse as the Drainage Engineer reports.

39. In that portion of the Cape Town area which lies south-west of Kloof Nek, no stormwater works appear as yet to have been undertaken.

40. In the Green Point and Sea Point area there is no provision for underneath stormwater drainage. Steep streets lead upwards on the slopes of Lion's Hill, and the construction of the surface drains on those streets does not appear to be free from fault. "The stormwater simply cuts the streets to pieces and the soil is carried down to the main road." There is no drain for collecting the stormwater. Each street brings down its own share of the water from "the sides of the mountain, but gully pipes and pipes to carry the water across the road have been put in." The Town Engineer contemplates being able to run a collecting open culvert along the mountain side, though he has little doubt that later on an underground stormwater system will have to be provided, for this reason probably amongst others, that "the more houses we get the more the water is concentrated." There appears to be no provision for draining yards or premises.

Hay. — 9874.

Brown. — 13432.

Heward. — 13431-6

41. Woodstock, with its area of 1,600 acres, has now 4,000 habitations, from many of which there are open drains on the sides of streets, conveying household water to tanks or catch pits whose contents are said to be removed as necessity demands. There is no underground drainage whatever; surface drains being the only provision made for carrying off stormwater.

Moore — 4622.

42. From the mountain, and running towards Table Bay, there are natural stormwater channels which are a source of inconvenience to the Municipality, inasmuch as "frequently there is heavy downpour of rain, and on more than one occasion the roads have been flooded." The surface drainage of Woodstock has also some important local relations to the general hydrographic condition of the Liesbeek Valley. Flowing northwards, after passing the Municipal boundary of Mowbray, the Liesbeek separates Woodstock from Maitland as far as the junction of that stream with the Black River. At this point of junction these two streams form the estuary known as "Salt River," by which the dividing line of the two Municipalities is prolonged to the seashore. The estuary "gets its water from the sea during springtide, when the water goes up a certain distance." It will therefore be seen that a certain extent of the area of Woodstock lies at a very low level, as may be better understood from the fact that the above-sea level of the Cape Town Railway Station is given at 15 feet while that of Salt River Station is given at 16 feet. All the surface drainage from the upper quarter of Woodstock must traverse this low-lying portion of the Municipality on its way either to Table Bay between Fort Knokke and the first mouth of Salt River, or to the Liesbeek and its continuation, the Salt River estuary. The whole of this low-lying portion of the Woodstock area may therefore be regarded as a continuation of and as a purely conventional separation by name from the low-lying littoral within the Municipality of Cape Town, from which the drainage has to be mechanically lifted into the main sewer of that city.

Moore — 3331.

Moore. — 3330.

Railway Engineer altitudes.

43. Maitland is protected against the Table Mountain stormwater run-off by the Liesbeek River and by the Salt River estuary. The Municipality has no underground drainage, and only one "surface drain in the main street for some distance." The Railway Station at Maitland, which is distant three and one-third miles from Cape Town, is given as being 48 feet above sea level; but "the lower portion of the village is very little above the level of the sea, because the springtide runs right up past the railway. The lower portion of Maitland would not be more than 8 or 9 feet above the sea level, and the fourth milestone would be about 20 feet above the sea level."

McGregor. — 1114.

Railway Engineer's altitudes.

McGregor — 1133.

41. The areas of Mowbray, Rondebosch and Claremont, and the northern section of Wynberg, form a single hydrographic basin, the natural drainage of which is carried towards Salt River by the Liesbeek, the Black and the Kromboom streams. The Liesbeek is the most important; it rises from Table Mountain, on extra Municipal land at Kirstenbosch, above Bishopscourt; it acts as a valuable stormwater carrier, protecting about two-thirds of Claremont and about half each of Rondebosch and Mowbray. The remaining areas of Claremont and Rondebosch towards the east are drained first by the Black River; and, still further east, along the boundary of the Municipalities, by the Kromboom. Both these streams have their beginnings within municipalised lands. From their point of junction, which occurs about the middle of the eastern boundary of Rondebosch, the united stream passes northwards to the boundary of Mowbray. Along the eastern boundary of Mowbray this channel receives such of the drainage of that Municipality as is not intercepted by the Liesbeek, and, after crossing the southerly corner of Maitland, joins with the Liesbeek to form the Salt River estuary already mentioned. No part of this hydrographic basin is supplied with underground drains. What was said to your Commissioners by one witness from Claremont, is probably more or less true of the whole basin: "we have no proper drainage, only open drains for stormwater which are far from adequate for our requirements. We have been adding year by year, but we have not enough." "Considerable damage" has resulted from the absence of drains, "and in one instance we had to pay about £400 as the result of a lawsuit." It is a matter of common observation also that by the absence of underground drainage, yards and places around dwellings, particularly in the more populous localities, are too often found to be under insanitary conditions.

Duncan. — [2818-36.

45. With more especial reference to the Municipality of Wynberg, there seems to be a very prevalent belief that only a quite limited portion of this suburb can be drained through the hydrographic basin of the three rivers which eventually find their way to the Salt River estuary. This is not borne out by the surveys made by Mr. Dunscombe for the purpose of his Report on "The Sewerage of the Suburbs," already referred to. It is there shewn that all the drainage of this township as far south as Constantia Road could gravitate to the area near the race course at Kenilworth which was recommended by that Engineer as an Irrigation area. Mr. Dunscombe points out that the effluent from this Irrigation area would enter the channel of the Kromboom river and so be carried towards the estuary. "The altitude of the site (*i.e.*, the site of the Irrigation area) is from 83 to 63 feet above low water mark of ordinary spring tides."

Dunscombe. — *G. 2—'92.*

46. The position established by this brief review of the drainage provisions in existence within the area of the Metropolitan Municipalities, appears to your Commissioners to be that those provisions are most inadequate. The Town Council of Cape Town stands practically alone in having taken steps to place its stormwater drainage provisions on a proper basis. This Council, it is true, can the more easily so do for the reason that the drainage area under its control is self-contained, a remark which so far applies also to Green Point and Sea Point. None of the six Southern suburbs are in this position. They have common and intimate hydrographic relationships such as permanently stand in the way of any one of them acting independently of all the others; they are jointly and severally concerned in the streams which are natural drainage channels of the area over which those Municipalities exercise control, drainage which each Municipality in turn passes on to its contiguous neighbour down stream. This relationship points to the necessity of procuring some means for a general and combined conservancy of these waterways, both as to the safety of their banks and as to the nature of the flow to be permitted; in short to the necessity for the creation of a single authority responsible for the whole municipalised locality within the drainage area.

Westhofen. — *8675.*

SEWERAGE.

47. By this term your Commissioners understand the system of underground conduits, sewers, drains or pipes laid down for the purpose of carrying off the several sorts of filth which are found in towns. In addition to excrementitious matters there have to be carried off slops and waste water generally, and such portion of the local rainfall as occurs within premises or their neighbourhood and thereby becomes filth which has to be get rid of. Technically, "Sewerage" also includes the methods to be adopted for the carriage of the filth or sewage through the conduits provided for the purpose, and for the final disposal of the filth or sewage itself.

48. Sewerage is thus seen to be closely allied to drainage inasmuch as a certain amount of the "drainage" must be carried off by the "sewers" as distinct from the stormwater conduits which have been the subject of the few last preceding paragraphs. The bearing of this upon the Sewerage problem of a town is well shewn by a passage in a report already more than once quoted by your Commissioners. It is there shewn that while the daily quantity of "sewerage" per head of the population is not likely to exceed thirty gallons, the capacities of the carrying conduits have to be regulated by certain additional considerations. Some of these considerations are that there may enter into the conduits daily during the rainy season an amount of polluted rainwater greater than the sewage proper, and that a considerable proportion of the whole daily flow is carried during a few hours of each day. Thus the sewage proper, with a "water carriage" system may be 30 gallons per head of population per day, and the polluted rainfall may be 35 gallons per head in a day in addition, while one half of the whole daily flow may pass through in from six to eight hours out of the twenty-four.

Dunscombe. — *G. 2—'92.*

49. It was at one time proposed that all the sewage of Cape Town should either be discharged, practically in a crude condition, into Table Bay through iron pipes laid down some hundreds of yards beyond the foreshore, or be carried to an Irrigation area on lands known as the "Salt River outspan." In the latter case, two pumping stations were to be erected, one for the main sewer at Salt River Junction to lift the whole of the sewage on to the Irrigation land; the other pumping station being intended to lift into that main sewer the sewage of the low level littoral extending from the Dock estate to the Woodstock Boundary. These alternative plans for the sea outfall and for the irrigation land disposal respectively, were eventually discarded in favour of a sea outfall at Mouille Point outside the breakwater. The system as carried out is mainly a gravitation one; but the difficulty of dealing with the sewage of the lower level portion of the city had still to be met by a special provision for lifting. For this purpose Shone's pneumatic (compressed air) ejectors have been introduced. Four of these have been installed, all of them worked from one central station which is placed on the Early Morning Market ground. The works at the outfall are not as yet complete; the final point of discharge being intended to be carried further out to sea. Some complaints have been made in connection with this outfall, but it is certainly to be hoped that after the great outlay made by the Council in connection therewith, and after the energy exhibited in the work of tunnelling across the Green Point Common no insuperable embarrassment will arise.

Rigby. — 9207.

Hay. — 9880.

Hammersley-Heenan — 10781.

50. The City Drainage Engineer informed your Commission that the main intercepting sewer and the outfall have been constructed to meet the requirements of a population of 120,000. As the probability is that in another decade the population of the city will have reached that figure, it need not be a matter of surprise that the Council's officers have some hesitation in agreeing to pass the sewage of another town through the City outfall.

Rigby. — 9152-72.

Hammersley-Heenan — 261 *et seq.* *Rigby.* — 9235.

51. The Docks area is not yet connected with the Cape Town Sewerage system. The General Manager of the Harbour Board gave evidence that it was in contemplation to sewer the area; and this officer (who is an Engineer by profession) seemed to believe that the Liernur pneumatic suction method for effecting the necessary lifting would be preferable to the Shone compressed air ejector method adopted by the Council. The Drainage Engineer of the Council does not fall in with this proposal, fearing that the undiluted crude form in which the Docks sewage would thereby reach the City's intercepting sewer may cause obstruction therein. Your Commissioners are of opinion that the sewering of the Docks area should not be delayed longer than is absolutely necessary.

Mayor's Minute. — 1901. *Ball.* — 11685.

52. There are now 9,794 houses in Cape Town, nearly all of which are connected with the main sewerage system. The Chairman of the Council's Water Committee says: "I think there are only about twenty houses which are not connected. The rate at which our drainage has proceeded can be seen from the fact that the cost of night soil removals has been reduced from £7,000 to £300 per annum."

Council's Return, Rigby. — 9219.

53. In Cape Town the expenditure on the construction of drainage works has been £104,777 6s. 4d. and of sewerage works £350,362 13s. 8d. There are unexercised borrowing powers in respect of stormwater drainage of £301,046, but £18,650 19s. 10d. has to be repaid to the revenue balance on the flotation of the loan.

Brown. — 13424.

Heward. — 447 *et seq.*

Hay. — 9983.

Hammersley-Heenan — 16781.

Heward. — 13450.

Heward. — 13462.

Heward. — 13450

54. Green and Sea Point Municipality has carried out a system of house sewerage which is all but complete. The witness for that Municipality gave evidence that only a very few houses—not more than 9—were unsewered. The outfall of the system runs into the sea to a distance of about 100 yards; it is placed on a promontory about one mile distant from the Cape Town outfall. The sewers are all pipe sewers, the majority of which are 9 inches in diameter, the main outfall being 15 inches in diameter. Witnesses have drawn attention to the fouled condition of the beach between the Cape Town and the Sea Point outfalls, and to the stench experienced not only in that neighbourhood but sometimes penetrating into the dwellings of the people. It seems to be anticipated that these drawbacks will cease when the outfall works are carried further out to sea. The same witness gave evidence as to the escape of offensive smells from the ventilating shafts of the system. The present Municipal Engineer, who did not superintend the carrying out of these works, admits the occasional presence of the offensive smells; but believes the reports to be exaggerated. The pipes are stated to have been carefully laid, but "along the Main Road and the Beach Road, there is very little fall, but still sufficient with the quantity of sewage flowing there." "We get a little deposit in the Beach Road and Main Road drains, but that is principally the sand that gets into the drains from the manholes which are still open." "Now that we have instituted a salt water flushing scheme, there is not that smell." But your Commissioners are of opinion that the actual cause or causes have not yet been determined. The cost to the Municipality of its Sewerage system has been £51,876.

55. As far as the southern suburbs are concerned, no Sewerage system is in operation, and with the single exception of Wynberg, by none of them has any serious step been taken in this direction. At the instance of the Colonial Government in 1891, the whole area, with the exception apparently of that of Maitland, was surveyed for Sewerage Works by Mr. Dunscombe, and at one time there seemed to be a probability that a scheme based on that Engineer's recommendation would be carried out. This has not been done, and it is perhaps as well that effect was not given to

the scheme, for it seems to have been designed for the needs of a population which has already been much exceeded. Now, after a period of inactivity, the Woodstock Town Council is said to have approached the Councils of Mowbray, Rondebosch and Claremont with a proposal that these four authorities should combine to carry out a system of sewerage, the main outfall of which should pass through the Woodstock area and discharge into Table Bay. The Woodstock share of the proposed outlay was to be £105,000, some portion of the interest of which was to be borne by the other three partners in the scheme. Your Commissioners, however, do not find that any well-thought out plan has either been considered by the Woodstock Council or submitted to the other Municipalities; neither do your Commissioners find that any trustworthy detailed surveys of the areas have been made, with the exception of such as were made by Mr. Dunscombe; and those are now of little value, beyond showing, as they do, that it is possible for one general scheme of sewerage, mainly a gravitation one, to be adopted by and to meet the requirements of this group of Municipalities. Moore. 4811.

56. It was part of the Woodstock proposal that the system should be a water carriage one, and that the sewage from the whole of the area should be discharged in a crude state into Table Bay. By the originators of the proposal it never seems to have been anticipated that any objection to such a method of disposal would arise in any quarter. But the Harbour Board, as the Conservancy of the Bay, have the greatest objection to the Bay being used for this purpose; and the Town Council of Cape Town, having formerly been interdicted from discharging the sewage of the City into the Bay, naturally enough take the same view as the Harbour Board. These objections necessitate a complete reconsideration of the proposals, particularly in respect of the final discharge of the sewage. Moore. 9553-7.

57. Within recent years a great deal of attention has been given in Europe and in the United States of America to the best methods of treating the sewage of towns; and, fortunately for the circumstances of the Peninsula suburbs, with the most satisfactory results. Your Commissioners are not under the necessity of entering at any length into a description of the details of the several methods which have found favour with local authorities. All these methods have this feature in common, that they depend upon the natural activities of the micro-organisms known as *bacteria* for the conversion of the organic matter contained in the sewage into harmless inorganic elements. From the evidence adduced by witnesses who have seen some of those bacterial or biological methods of sewage disposal in operation, from the known success of several large installations of the kind in the United Kingdom and elsewhere, and of one or two smaller installations in this Colony, your Commissioners are satisfied that this method is effective, is the best yet discovered, and is capable of being brought into use in the Peninsula on any such scale as the circumstances may require.

58. A most influential Royal Commission* has been enquiring into this matter in England during the last few years; their labours are not yet completed; but they issued last year an interim report containing some very valuable conclusions. Much of the labour of this Royal Commission has been directed to the question of producing such an effluent from bacteriologically (or biologically) treated sewage as could safely be discharged into a river or stream from which the people in a lower lying area derive their drinking water. Now, your Commissioners in considering any proposal to subject the sewage of the southern suburbs to one or other of the bacteriological purification methods do not require to have to provide for an effluent so pure as that; for it can scarcely be contemplated that the water flowing in the Liesbeek, the Black or the Kromboom Rivers, will, at any future time, be used as a

* "On the Treating and Disposing of Sewage."

potable water by the people. The points for consideration here are of a simple character, and have reference only to the question of how far public amenity will be endangered by the discharge of an effluent from a sewage, treated bacteriologically, first into any or all of those streams and thereafter into the Bay, or into the Bay direct by conduit from the sewage works. So far as the expert evidence which has been put before your Commissioners is to be trusted, there is no doubt in their minds that, with proper engineering safeguards, the whole of the area's sewage, present and prospective, can be satisfactorily dealt with by one or other of the artificial biological processes already in use and wholly depended upon elsewhere for the production of an effluent practically innocuous. The Royal Commission already referred to classified those processes under ten variant forms, such as (1) "Closed septic tank and contact beds; (2) Open septic tank and contact beds; (3) Contact beds alone;" &c., &c. There is a difficulty apparently in determining which one of these variants is best adapted for the particular class of sewage which has to be dealt with, a matter of importance in a country in which ordinary domestic sewage is liable to be mixed up with trade refuse of every kind. But on the main question the following opinion of the Royal Commissioners seems to imply a sufficient standard of efficiency as far as the needs of the Peninsula are concerned: "After carefully considering, however, the whole of the evidence together with the results of our own work, we are satisfied that it is practicable to produce by artificial processes alone either from sewage, or from certain mixtures of sewage and trade refuse, such for example as are met with at Leeds and Manchester, effluents which will not putrefy, which would be classed as good according to ordinary chemical standards, and which might be discharged into a stream without fear of creating a nuisance."

T. Stewart. — 1284.

59. Your Commissioners, therefore, are of opinion that the whole question of the sewerage of the southern suburbs should in the immediate future be reconsidered from the point of view of disposing of the sewage by one or other of the *bacterial* processes. Your Commissioners are led to believe that the Table Bay Conservancy will not object to the discharge into the Bay of an effluent from sewerage works designed and maintained in accordance with recognised plans and safeguards. But at the same time it has to be remembered that if the promises of the bacteriological methods are even fairly realised, it may well be that the effluent, instead of being sent to sea as a waste product, may in the near future be used for irrigation purposes.

Hammersley-Heenan — 10782-4.

60. It is to be borne in mind at the same time that no scheme for the sewerage of the suburbs has hitherto been suggested by which it has been shewn to be possible to avoid the introduction of some means or other for lifting the sewage from the lower levels. No bacteriological purification scheme is in any better case. People have built their houses on lands which lie low, lands from which, even without allowing for the few feet of depth in the soil at which the conduits must be laid, the sewage cannot be removed for treatment or disposal by gravitation alone. If then it is asked why the sewage of a large portion of Woodstock cannot be lifted into the main sewer of Cape Town the answer seems to be, first, that the sewerage system of the City is designed only for a population such as may be found in the City before very long; and, second, that it remains to be seen whether it is desirable to discharge unlimited crude sewage on the sea shore at Mouille Point. On the other hand, if it is urged that the expenditure on bacteriological works for construction and maintenance will be considerable, it may be said in reply that by their application an effluent can be produced which, even if it cannot be turned to economic account, is believed to be harmless and can be got rid of without the creation of a nuisance on the foreshore, and without the great outlay upon such outfall works as otherwise must be inevitable.

Hammersley-Heenan — 10781.

Hammersley-Heenan — 782.

61. To the special conditions at Wynberg reference has already been made (paragraph 55). Your Commissioners find that, in 1892, the then Mayor, in giving evidence before a Select Committee of the House of Assembly, said that his Council had agreed to adopt Mr. Dunscombe's scheme at a minimum cost of £26,000 and at a maximum cost of £35,000. The sewage was to be purified on irrigation lands, situated near the race course, and the effluent was to run off by the Kromboom river. These proposals came to nothing. But in 1898 new plans were favoured, and borrowing powers were obtained to the extent of £60,000. Bacterial treatment of the sewage was to be carried out at a site purchased for the purpose near Princess Vley. There appears to have been no report from the Engineer in charge since 1898; and, so far as your Commissioners can ascertain, all that has up to the present been accomplished is that about one mile of the main outfall pipe has been laid down, beginning from the lands on which the septic tanks are to be erected. Seven of these tanks are to be so erected, provision being thereby intended for a population of 15,000: though, by the way of a beginning, the scheme will include only two-thirds of the town, that is to say the part locally known as "old Wynberg." The scheme presupposes a water supply of 30 gallons per head per day; and it is not expected to be completed in less than three years.

A. 10—'93.

Vollmer. — 6687.

Vollmer. — 6715-6.

Vollmer. — 6813-8.

Vollmer. — 6770-87.

62. That there is great need for the completion of some well-considered scheme of sewerage at Wynberg is made clear by the evidence of several witnesses. Pending its completion, sanitary removals are made by cart; but complaints are made as to the way in which this service is carried out. Again, although Wynberg has a considerable population, a good many of whom live their domestic life under circumstances none too favourable, there are no public wash-houses provided. "Clothes are washed at Diep River, Princess Vley, in the back yards, in fact everywhere." The nearest suitable site for a public wash-house is 1½ miles from the nearest water tap; and the erection of a wash-house is to be postponed until the sewerage scheme is completed. Washing of clothes at Princess Vley has a bad effect; "right round there it (the water) is very dirty, and if you tread in the mud at the edge of the Vley it creates a smell." "All the muck from the backyards goes into Princess Vley at the present time, and that will not be if the backyards are connected." The witness gives similar evidence to that already quoted as to the swampy character of the locality in winter.

Westhafen. — 8060-3.

Vollmer. — 7588.

Vollmer. — 7613.

Vol mer. — 6778-80.

63. Such a condition of things is far from what it should be; but Wynberg does not stand alone in this respect. In every one of these suburbs the ground around dwellings is being polluted by the accumulating slop deposits, or otherwise the local amenity is rudely invaded by day and by night by the endless trips of the slop cart and the stercus waggon. In some parts of the rapidly congesting Woodstock a state of things exists which is a crying evil. In the vicinity of Maitland again, the conditions are simply unspeakable, owing to the freedom with which neighbouring Municipalities convey their filth and refuse thither. Surely the time has arrived for some "way out" to be found and to be taken advantage of.

McGregor. — 11373-8.

THE FUTURE ADMINISTRATION.

64. In the foregoing paragraphs your Commissioners have endeavoured to demonstrate the extent and character of the provisions which have been made within the City of Cape Town and the suburbs to meet the requirements of their present and of their prospective populations in respect of Water Supply, Drainage and Sewerage. If it is allowable to say that the surest criterion of Municipal efficiency is to be sought for in the fulness with which those primary requisites of Municipal life have been attended to, it

may well be asked if what has been done, or is in the course of being done, is such as ought to satisfy the expectations of those concerned. But whatever shortcomings are to be admitted, your Commissioners are of opinion that they are not attributable to any lack of desire on the part of the inhabitants for Municipal improvements, or to any greater dislike of the "*more rates*" which such improvements necessitate than is characteristic of ratepayers everywhere. Your Commissioners rather incline to the view that throughout much of the area which has been under review, betterment has been secured up to the limitation of existing conditions; and they therefore believe that it is incumbent now upon those who are solicitous for the progress and future well-being of those rapidly growing communities, to realise how far it is necessary for the old order of things to give place to a new. Your Commissioners have now to offer a few suggestions that may be helpful in this direction.

65. Having regard to the instructions to your Commissioners in subsections (*d.*) (*e.*) (*f.*) of their Commission, it will be more convenient in the first place to consider briefly the evidence which has been given in favour of bringing to the assistance of the Municipalities a "Central Board of Works" empowered to take the initiative in and to control the several enterprises required in the interests of the people.

Moore. 5340-5. *Vol'mer.* 7675-81. *Craig.* 7741. *Newey.* 4128.

66. Evidence in favour of the formation of a Central Board of Works has been given by certain witnesses. Amongst them are to be found the delegates of some of the Municipal Councils who in the evidence which they gave appeared to be influenced less by the results of experience of Boards elsewhere, or by a reasoned belief in their suitability in the case of the Peninsula, than by an apprehension that the only alternative would be some surrender of their Councils' independence. Other witnesses who favour the formation of a Board, and control by it, more or less permanently, seemed to have been brought to that view by the supposed success of similar Boards of Works at Sydney and at Melbourne. But your Commissioners are of opinion that the circumstances under which these Australian Boards came into existence were so dissimilar from those which obtain in the Peninsula at present, that any argument based on their success or otherwise scarcely holds good.* Moreover, from the Report of a Commission recently issued by the Lieutenant-Governor of Victoria, to inquire into complaints preferred by ratepayers, as well as by some of the Municipal Councils within the Metropolitan circuit of Melbourne, your Commissioners find that the confidence at one time placed in the Board of Works has not been sustained. Those complaints point to dissatisfaction, first with the indirect mode of election of the members of the Board by the several Municipal Councils, as opposed to direct election by the ratepayers; and secondly, with the continued control of the Water supply and of the Sewerage arrangements by the Board. Indeed the Commissioners' Report rather proves how difficult it is to supersede such a Board when it is once established, than it justifies the continuance of the Board as a *quasi* irresponsible adjunct of progressive Municipal administration.

67. In view of the great importance of the enterprises which have to be undertaken, some witnesses seem to infer that a class of man is needed for this work different from that which the Municipalities have hitherto been able to command; and these witnesses take it for granted that in some way or another the men required are to be secured by the creation of a Central Board of Works. Your Commissioners do not agree with this view. It must be admitted that any such Board as is suggested must be either an elected or a nominated one. In the case of an elected Board, the choice must be made either by the ratepayers directly, a method which affords no guarantee that the persons so

*The Melbourne Board of Works was instituted by the Government of Victoria which advanced the necessary funds, expropriated the lands, and receives the surplus revenue.

chosen will be stronger men than those already in a similar way chosen as Councillors; or the choice must be made by the several Municipal Councils from amongst their members, much as the members of the Joint Committee of the Suburban Municipal Waterworks is now formed, a method which seems greatly to relieve Committeemen from a sense of responsibility, and one which is not viewed with enthusiam by the Joint Committee itself or by those for whose benefit the services of the Committee are required.

Moore. — 5842.

68. On the other hand, a nominated Board would be a creation quite alien to the spirit and traditions of the local Government institutions with which the community of the Peninsula have become familiar, so much so that your Commissioners believe that such a Board would at once be viewed with jealousy and suspicion, and be unable to maintain the confidence of the people. That this is probable may be inferred from the evidence, for instance, of the Chairman of the Waterworks Committee of the Cape Town Council, who says that his Council has succeeded so well hitherto in carrying out large and important undertakings,—the Councillors had shewn themselves so willing and competent to deal with every problem of City Government—that they would hesitate to accept any proposals having for their object the Council's detachment from the fullest control of the needful Municipal enterprise. A view somewhat different from this, but still favourable to a Board, emerged in the evidence of the Mayor of Cape Town, who seemed to believe that it was practicable to have a special Water Board for the Peninsula. Backed by the financial credit of Cape Town, this Water Board might undertake the construction and control of the necessary works. The Mayor objected to "pool" the already existing supplies of water, and rather favoured the idea that the City should arrange to receive from the Water Board such daily supply as might be required, and pay for the same in accordance with a tariff agreed on, any shortfall in Water Board revenue to be a charge on the general rate. Similar arrangements would have to be made with the other Municipalities, whose existing water supply schemes would also be perpetuated. This proposal is doubtless ingenious but appears to your Commissioners to be unworkable, and likely to be financially indeterminate and troublesome.

Beard. — 10111.

Thorne. — 14105.

Wynne-Roberts. — 8763-5.

69. Yet another view as to water-supply was put before your Commissioners by an important witness on behalf of the City Council. This witness admitted that "water from Table Mountain was one of the finest assets in the Cape Peninsula," and the witness also accepts the principle that an augmentation of ten millions gallons per day is required. He would have the storage at the originating source, away from the Mountain, the water to be conveyed by pipe to the Molteno reservoir. "If the Cape Town Council had the management, I think it would be worked economically." And again "my feeling is that it ought to be left in the hands of the Cape Town Council, and (the water) supplied in bulk to the other Municipalities upon a proper adjustment as to the charges to be made." Now this method would just be an expansion of that whereby Cape Town already supplies consumers in Green Point and Sea Point, and the Woodstock Council (in part) in bulk. Doubtless Cape Town has financial resources equal to this enterprise, and it is possible that the method might realise the witness's anticipation of its economy. But even as things are now, consumers of water in Sea Point have their grievances. They feel themselves too much in the grip of a Council on which they have no representation. This circumstance is enough in itself to make your Commissioners hesitate to recommend a plan embarrassed from its inception with such potentialities of discord as would emerge in any attempt to control and manage the water supply of six additional suburbs whose population in the aggregate already exceeds that of the normal population within the bounds of the proposed controlling authority. (Table I.)

Wyllie. — 13962.

Wyllie. — 13968.

Brown. — 13400-9.

70. A similar objection applies to the case of any one of the lesser Municipalities setting itself up as a water Authority or Board for the Peninsula,

as Woodstock and Mowbray with Rondebosch at one time to some extent contemplated, the objection being all the more cogent in their cases, inasmuch as their financial status is so much weaker than that of Cape Town. Moreover, the acceptance of any single Municipality as a Water Board or authority for the other Municipalities would not have satisfied the requirements of the suburbs in the matter of drainage and sewerage. It is conceivable that one Municipality may advantageously provide another with water for an appropriate consideration; but your Commissioners cannot understand how one Municipality could construct and control drainage and sewerage works for another. Cape Town as a water authority would have no interest in the sewerage of the suburbs; while on the other hand, each of those suburbs would have too intimate an interest in a sewerage scheme to be regarded by the others with confidence as their steward. The result would most likely be a further postponement of works which are already much required.

Wynne-Roberts
763.

71. There is an additional consideration. By the terms of your Commissioners' instructions it seems to be assumed that the formation of a Board to construct and control the necessary works would imply "leaving all other matters to the existing Municipalities." But your Commissioners consider that all Municipal matters, including water supply, drainage and sewerage, are so closely bound together that in everyday experience it would be found impracticable to determine where the control of the "Board" should end, and where "all other matters" for the "existing Municipalities" should begin. In any case there could not fail to be a constant tendency to belittle the work of the Municipal Council. Would this make for Municipal progress or efficiency? It is already a ground of dissatisfaction with Municipal Councils that they do not attract to their deliberations the most capable men in the community. Manifestly this would be the case still more if the important and interesting work is put into other hands. Municipal experience in the United Kingdom justifies this remark. Prior to "reform," it was notorious that the Municipal Councils having the least to do, and having the smallest responsibilities, were the most corrupt and the most unfit; while at the present time it is as generally found that the Municipal Councils which have the most power are the most strenuous and straight in the performance of their undertakings. Under these circumstances, for your Commissioners to recommend the continuance of the eight existing autonomous Municipalities, while at the same time curtailing their power by subordinating them to a Board, would be a counsel of despair.

72. Your Commissioners have carefully considered the question of grouping these eight Municipalities into a lesser number, but they have come to the conclusion that no grouping, which is short of being a complete grouping, will really bring with it any promise of speedy, effectual and lasting solution of the difficulties disclosed in the evidence. The right solution ought to be the common aim, concern and interest of the ratepayers as a whole; and the solution is most likely to be arrived at by discussions in a single chamber in which the representatives of those ratepayers customarily and by right assemble. No one of these Municipalities, and no smaller group than that of the whole of them, can, in respect of economy and efficiency, isolate itself for the purpose of carrying out any adequate scheme of water supply, drainage or sewerage. The control of the necessary works ought to be left in the hands of those who are directly responsible for Municipal administration, and can safely so be left; but until the Metropolitan Municipalities are united under one governing body, the necessary impulse for the inception of the important enterprises within their area is not likely to be forthcoming, the co-operation and energy which are vital elements of success will be unattainable and the interests of economy will be overlooked. Moreover there is every indication that the opposition which will be offered to any partial combination, sufficiently important in itself to justify any serious effort to bring it about, will be just as great as the opposition to the complete unification of the

whole of the Municipalities. Thus, Woodstock while objecting to union with Cape Town, would possibly accept union with Mowbray. On the other hand, Mowbray, while declining any advances from Woodstock, would consider proposals for union from Rondebosch and Claremont; while Wynberg and Green and Sea Point openly prefer their present isolation. This show of unwillingness gives little encouragement to the view of those witnessess who would pause now at the initial experiment of an incomplete combination, postponing to some future day the complete unification, which they nevertheless believe to be coming. *Moore* — 5856 *et seq.* *Tonkin.* — 1629.

73. That the names given to these Municipalities indicate distinctions which are only conventional; that their several boundaries, already almost inappreciable, are yearly becoming more so owing to the growing congestion of the habitations; that the people dwelling throughout the whole area between Sea Point and Wynberg have a common interest in Cape Town, in its importance as the seat of Government, and in its general well-being as a city and a port; these are facts which it is idle to ignore. But the dwellers within that area are bound to each other not more by community of interest than by reciprocity of duty; and the circumstances which make it necessary for men, for the purpose of domicile, to go outside of the city, should not be the cause of their being ousted from an interest in City management, or relieved of their share of civic responsibility. The movements of the people as between the City and the suburbs during the last eleven years have been somewhat significant; the white population having increased 69 per cent. in the city, and 212 per cent. in the suburbs, while the coloured population has increased 3·65 per cent. in the city and 140 per cent. in the suburbs. It is possible that such movements of the people may have been anticipated by those who are responsible for the laws under which the City is governed; for such an anticipation may explain some of the provisions of those laws such as the abolition of the ward system and the substitution of election at large, plural voting, restriction of the hours and places of polling, hours of meeting of the Council and of its Committees. The efficacy of such precautionary methods, however, is not likely to be permanent. The real safety lies in calling back, to aid in the management of City affairs, those who, by the disabilities inherent in the multiplication of Municipalities, are practically excluded from the Council Chamber of the City in which their chief Municipal interest lies. Indeed those very reasons which make it convenient and just that the six "districts" of Cape Town are not so many distinct Municipalities, but are in union for the raising of revenue for promoting the commonweal, make it equally convenient and just that the seven other districts outside of Cape Town should similarly be unified and placed for all Municipal purposes under the jurisdiction of one supreme Council chosen by the ratepayers throughout.

74. Here it may not be out of place to bring to notice the fact that the unification which your Commissioners recommend is not suggested now for the first time. Ten years ago, a Select Committee of the House of Assembly with Mr. (now Sir) J. Rose-Innes for Chairman, took evidence and brought up a report to the House. Witnesses were then found to be in favour of a change such as your Commissioners recommend. For instance, Mr. T. L. Graham, the present Attorney-General, said:—"I should like to see a single Board appointed for the whole Peninsula including Cape Town; consolidate the debt, and have one single controlling Board or Council elected at one time by one constituency, with one budget of expenditure, and one debt for the whole Peninsula for all Municipal purposes." In its report the Committee said:—"That while recognising the difficulties, they are yet of opinion that a method ought to be found of placing the Government of all the areas in question in the hands of one body, whose powers would be more extensive and whose duties would be wider than those at present conferred upon any Municipal Corporation. Your Committee would strongly recommend the creation of such a body." A. 20—'91 *Ib.*

75. What those more extensive powers and wider duties were intended to be, your Commissioners need not now stop to enquire; they will emerge and doubtless be granted as the sphere of the "body's" influence is revealed and its fitness for its functions is proved. It must suffice for your Commissioners to point out that the conditions which have arisen since that Committee reported make more strongly for union. Ten years ago the population in the suburbs was much less, both absolutely and in comparison with that of Cape Town. The several Municipalities were still sundered by unbuilt-upon belts of land; and there was reason to believe that each would speedily become a well-equipped body. To-day the population of the suburbs has outgrown that of Cape Town, the unbuilt-upon zones of land have disappeared and the several Municipalities have coalesced so that conventional boundary lines pass down streets and run through properties and even dwellings. During these ten years also, the rateable values and the annual revenues of the Municipalities have gone up by leaps and bounds. With all this, however, adequate Municipal equipment, especially in the suburbs, seems no nearer realisation than it was.

75A. *General Advantages of Unification.*—In the preceding paragraphs your Commissioners have endeavoured to show that in the unification of the Metropolitan Municipalities is to be found the only practicable method by which those Municipalities can secure the large and general schemes of water supply, drainage and sewerage, of which they stand in need. It is to those primary needs of all Municipalities that the enquiry of your Commissioners is directed by their instructions. But your Commissioners recognize that by the existence of eight independent Municipal jurisdictions within the Metropolitan area the interests of the inhabitants have not in the past been promoted as they might have been if there had been uniform Municipal administration within the area. If the multiplicity of subjects with which Municipalities in this country deal by means of regulations is borne in mind, as well as the fact that the inhabitants of this comparatively small Metropolitan area are likely to be embarrassed by the varying regulations of those eight contiguous jurisdictions, the inequalities under which those inhabitants suffer can easily be understood. Such matters as Cab fares, Building Regulations, Slaughter-houses and Wash-houses, are variously dealt with in Regulations which are in force only within the area of the Municipality which has framed them. On the other hand a common interest in such things as Fire Brigades and Fire-extinguishing plant, in Infectious Diseases Hospitals, Public Slaughter-houses, Public Parks and Open Spaces are either not provided for at all in some Municipalities or have their usefulness impaired by localisation.

Price. — 2689. In this connection Your Commissioners would also draw attention to the evidence of the General Manager of Railways on the question of over-head Bridges, where he says:—"I think if we had one collective body to deal with that particular question, instead of the several local authorities concerned, the outlook would be distinctly wider, and would be an advantage to the public and all concerned. From a railway point of view I should welcome an amalgamation of the different Municipalities." Evidence such as this and the prospect of the removal of some of those inequalities and omissions to which attention has been drawn, seem to your Commissioners to give much strength to the arguments in favour of that unification of the Municipalities which they have recommended.

CERTAIN OBJECTIONS.

76. Certain objections have been specially brought against the unification of the Metropolitan Municipalities, and with these your Commissioners now propose briefly to deal.

77. *An Increased Rate.*—From the evidence of certain witnesses the belief would appear to be prevalent that the liabilities of Cape Town as a Municipality are very heavy and therefore necessitate the levying of a rate higher than is required in the Suburban Municipalities. Unification is therefore objected to, there being a dread that the City will shift this heavy rate from its own ratepayers immediately. Your Commissioners are bound to admit that the rates which in recent years have been levied by the City Council lend some support to the prevalent belief. But, as one result of their investigation of the Municipal finances, your Commissioners find that during the last five years an amount of £200,000 has been taken from the City's ordinary revenues and put into permanent works. This means that during the five years an average of about one-third of the City's rates has been spent on undertakings the cost of which would otherwise have been charged to capital account. The City therefore is able to show a valuable asset as the result of this excessive rating. In addition to this it is believed again by the Council that the rate for Cape Town has touched its highest point, and is more likely in the future to fall than to rise; while, on the other hand, there is nothing to show that if public services had been supplied by the suburban Municipalities similar to those supplied to the citizens of Cape Town, the rates would have been lower than those of Cape Town. But, be this as it may, your Commissioners are of opinion that any objection that can be substantiated in this respect, can be got rid of entirely by the introduction of these methods of Municipal taxation known as "special assessments" and "differential rating." In the Peninsula up to the present time, very little if any recourse has been had to those methods. "We have not the power (of special assessment) but I think it is one of the things that the Council should be empowered to do, namely, to rate special properties for special purposes." "Special assessments" are applicable to parts of a town in which the owners, being desirous to have in the vicinity of their properties, improvements such as superior paving, lighting, kerbing, &c., agree to a special assessment on that property to recoup the Council in respect of the extra expenditure. As an example of a Municipal Administration having "differential rating," the case of Liverpool may be mentioned, this City being now an aggregate of nine districts, eight of which, at one time independent Municipalities, have been in succession amalgamated with the original City. In this instance the general rate is differentiated in the several districts from 2s. 4d. to 4s. 1¾d., while the water rate differentiates from 3d. to 6d. (annual rental.)*

Ball. — 12215

Ball. — 12219.

78. (2) *Magnitude of the Area.*—The area of the unified Municipality will undoubtedly be considerable, but will not be unprecedentedly so; and it is to be remembered that in this Colony most of the Municipal areas are considerable. It may be urged by way of reply that Municipalities in this Colony are extensive in area owing to the fact that in most cases the areas include commonages which are wanting in the case of the Metropolitan Municipalities. But, by way of set-off to this, there is the important fact that a very considerable portion of their total area is certain to remain unbuilt upon. The whole area now covers 21,726 acres, the total population of the area being 172,000 (or exclusive of Military, Shipping and Uitvlugt natives, 141,608), † giving an average density of 7·5 per acre. The town of Leeds has an acreage of 21,500 and a population of 400,000. The City of Liverpool has an acreage of 14,000, with an average density of 51 per acre, a population of nearly 700,000, and a Municipal Council of 120 members. The aggregate (*ad valorem*) rateable value of the Metropolitan Municipalities (1902) is £21,000,000, and their aggregate revenue £380,000. Those figures are not formidable in view of municipal facts of the present time; while as far as distances apart are concerned, it is an ordinary observation

Table II. supra.

Tables III. and V supra.

*Further remarks on Differential rating appear in paragraph 138 *et seq.*

†See Table I, paragraph 10.

that with electric tramways, railways, telegraphs and telephones, such distances as are characteristic of the area do not count for much as hindrances or embarrassments in Municipal administration.

79. (3) *Decay of local interest.*—It is argued that under the *regime* of a unified Municipality, the services of that class of Councillor who takes a personal interest in petty details of municipal work will be lost to the community. It is quite true that no Municipality can afford to discourage enthusiasm for the public welfare; and it would certainly be regrettable that any ratepayer who had proved himself worthy of the confidence of a smaller body should give the larger one the go-by. Your Commissioners believe that by the creation of the subsidiary bodies which they propose, (*Vide* Paragraph 109) the man who prefers the more purely local side of Municipal life will continue to be as necessary as formerly, while at the same time the association of the local interest with the wider outlook of the larger body can scarcely fail to have a beneficial influence.

80. (4) *Evasion of Local Preferences.*—It would seem to be the opinion of some witnesses that it is only small Municipalities that can respect the ideas and preferences of local residents, or that can protect a locality, intended to be a residential one of the better sort, from invasion by opposing influences. But no evidence is forthcoming to prove that the larger Municipalities need fail in their duty to the inhabitants in this respect. On the contrary, a strong Council returned by a wide electorate, a Council the members of which are not overborne by the friendships of a small locality, is much more likely than is a weak and locality-ridden Council to insist on the fulfilment of the lawful contracts of sellers and purchasers of land, and on the observance of the building regulations lawfully passed. In addition to this, whenever, in any Municipality, the plans adopted in a less advanced period of its history are found to be incompatible with more modern requirements, it is only by a strong local authority that expropriation for the purposes of betterment is ever likely to become a policy.

81. (5) *Unification in the past a failure.*—On the passing of the Municipal Act, 1882, Wynberg, Claremont, Mowbray and Rondebosch, all of which had previously been under the Villages Management Act, were united to form the Municipality of Liesbeek, but in 1886 that Municipality broke up; Wynberg and Claremont to form single Municipalities, Rondebosch and Mowbray, however, remaining in union until 1890, when they also separated. On this experience an argument is based that any new amalgamation is foredoomed to failure. It is to be noted, however, that the separation was not due to any difficulty inherent in Municipal administration by itself. One witness says a certain amount of jealousy sprung up—conflicting interests appeared. The Councillors did not agree, and so they split up. Another witness says that the Councillors who were elected to the Council were opposed to giving up the "Village Management" idea, "they divided themselves into Committees for each neighbourhood, and worked the area upon that principle, although under the name of one Municipality," which it never really was; while a third witness clearly indicates that it was a water difficulty that finally led to the break-up; some ratepayers believing that no scheme was necessary; others being in favour of a scheme for mountain storage; and still others being determined to supply all local needs from such sources as the Albion and other permanent springs in Newlands and Rondebosch. But those and some other witnesses are also fairly well agreed that a better spirit now prevails. Naturally, unless that better spirit does prevail, unless ratepayers can be induced to subordinate their local sensibilities to the claims of reason, unless they are so far prepared to accept the teachings of experience elsewhere, in short, unless the Councillors come to the Council table with a determination to effect and to maintain real union, failure may once more overtake the best possible plans. What your

Donnan. — 2187. *Beard.* — 10063. *Wiener.* — 13126.

Commissioners recognise is that in the management of the unified Municipality there is no difficulty insurmountable by men who are animated by a desire to make it a success.

82. In addition to those who have urged the foregoing objections upon your Commissioners, there are others whose natural conservatism makes them dislike a proposal to obliterate those local names and landmarks, whose past has so firmly rooted them in the affections of the people. But there is no call for any such obliteration. On the contrary, in the unified Municipality such familiar names as Wynberg and Sea Point will find not only a permanency, but an appropriate use and significance. By the unification of London, people have not ceased to speak of Islington and of Chelsea; in the aggregate of Liverpool, Everton and Toxteth are still familiarly heard In any possible unification of the Metropolitan Municipalities of the Peninsula, Woodstock and Rondebosch are in no danger of being forgotten. The inhabitants of these suburbs may miss some of the marks of autonomy; but in the enhanced dignity and importance which the new *régime* will secure for the Metropolis of their country, they should find all the compensation which a true patriotism can demand.

FINANCIAL ASPECTS OF UNIFICATION.

83. It appears to your Commissioners, therefore, that the future well-being of the Metropolitan Municipalities demands their immediate unification. It remains to be shown that their recent history has disordered and imperilled their finances, and that in this respect, as in others, immediate unification is desirable.

84. *Ordinary Revenue and Expenditure.*—In the absence of any common authority on the accounting system, such as the Divisional Councils have in the Controller and Auditor-General, it was only to be expected that the accounts rendered to the Commission by the Municipalities would vary materially in their treatment of similar transactions. Such proved to be the case. Expenditure on wages may be given as an example; some Municipalities have been satisfied to charge a heading "Wages," while others have, more properly, distributed the expenditure under the various works and services upon which the men were employed.

85. Considerable difficulty was thus experienced in reducing the accounts supplied to similar terms for purposes of comparison and combination, and the efforts of your Commissioners to do so have been only partially successful. The abstracts given as Appendix A—(1) to (12)—hereto are the results of these efforts. In the statement given as Appendix A (13) these abstracts are brought together, the Metropolitan Municipalities being placed in one group and Kalk Bay and Simonstown in another. The Ordinary Revenue and Expenditure is first shown, then the Water Receipts and Payments, then the Electric Lighting transactions, and finally the totals.

86. Dealing here with the Metropolitan Municipalities, your Commissioners are of opinion that perhaps the most striking feature of the return is the magnitude of the amounts involved. That the ordinary expenditure of those Municipalities in the last five years should have amounted to £1,015,449 4s. 1d., exclusive of expenditure on the maintenance of the supply of Water and Electric Light and the expenditure of borrowed money, is certainly most noticeable in view of the comparatively small benefits derived by the ratepayers and their many unsatisfied needs.

87. The Cape Town accounts, which, it may be remarked, appear to be excellently kept, show a very satisfactory financial position. Starting on the 1st January, 1897, with an overdraft of £17,691 4s. 0d., there have been surpluses of receipts over payments in the five years ended 31st

December, 1901, of £18,059 12s. 5d. in regard to ordinary works; of £3,448 11s. 2d. in regard to Electric lighting, and of £9,344 4s. 11d. in regard to Water supply, making a total surplus of £30,852 8s. 6d. Deducting the opening overdraft from this sum, the credit balance of £13,161 4s. 6d. on the 31st December, 1901, is produced—as shown in Appendix A (2). The surplus in regard to Water supply was indeed £31,352 9s. 7d. more than the £9,344 4s. 11d. shown, but £11,352 9s. 7d. was transferred in 1901 to a "Reserve Fund for future extension," and £20,000 was transferred to the general revenue account in part payment of amounts spent out of revenue, thus creating the surplus of £18,059 12s. 5d. in lieu of a deficit of £1,940 7s. 7d. The creation of a Reserve Fund is of doubtful legality, the Acts under which the Council works making no provision for such a step, but the repayment to General Revenue is fully justified by the fact that £47,971 0s. 4d. had, up to the 31st December, 1901, been spent out of Revenue in permanent works in connection with the Water supply. It is only right to add, however, that nothing has apparently been written off for depreciation of works, nor is there any legal provision for such a necessary step to be taken by the Council.

88. In marked contrast to the Cape Town position it will be observed that the revenue has in the five years fallen short of the expenditure in six of these eight Municipalities, the actual deficit being as shown in the following Table :—

TABLE VII.—Showing Deficit of Ordinary Revenue of the Suburban Municipalities, as supplied to the Commission, for the five years ended 31st December, 1901.

	£	s.	d.
Sea Point and Green Point	3,386	19	2
Woodstock	40	0	3
Mowbray	8,850	6	4
Rondebosch	1,649	1	11
Claremont	1,825	3	8
Wynberg	7,330	5	9
Total	23,081	17	1

Each of these deficits calls for comment, as they illustrate unsatisfactory features in the financing of the smaller Municipal bodies.

89. The Sea Point deficit of £3,386 19s. 2d., with the opening overdrawn balance of £397 3s. 8d. on the 1st January, 1897, and certain sums amounting to £352 3s. 9d. paid out of the ordinary account but chargeable to the Loan Account, caused the overdraft at the Bank on the 31st December, 1901, of £3,916 8s. 1d. shown in Appendix A (1). The first and second items amounting to £3,784 2s. 10d. are equal to about three-sevenths of the sum received for rates in 1901, but your Commissioners were assured by the Municipal witnesses that provision had been made in the rate for 1902 by which the overdraft would be swept away.

Brown — 13342.

90. The Woodstock deficit would have been very serious had not £16,509 9s. 7d., realised by sales of Municipal lands, been credited to Ordinary Revenue, and as there was a deficit of £4,864 2s. 11d. on Water transactions (not allowing for share of profits of the Suburban Water Works which amounted to £2,284 10s. 1d. but had not been paid over to the Municipality) it was necessary to borrow £5,000 from the Loan Account; this £5,000 with the opening credit balance of £1,199 17s. 1d. on the 1st January, 1897, had been reduced by the £40 0s. 3d. and £4,864 2s. 11d. to the £1,295 13s. 11d. shown in Appendix A (3) as the balance in hand on the 31st December, 1901. In other words, but for the sales of Municipal land there would have been a deficit of over £20,000 to have been met at

the end of 1901. The Woodstock Municipality holds other lands of considerable value, and is, from an asset and liability point of view, in a very sound position, second indeed in this respect only to Cape Town itself, but the application of the proceeds of sales of land to ordinary expenditure is opposed to the principles upon which Municipal financing should be based. The Mayor stated that the loan of £5,000 would be repaid during 1902 in consequence of the increase in valuations (the rate remaining unaltered) and retrenchment in the expenditure.

Moore — 3436-3447.

91. The Mowbray deficit of £8,850 6s. 4d. by no means indicates the real position of the finances of the Municipality, to ascertain which it was necessary for one of your Commissioners to personally investigate the books and accounts at the cost of considerable time and labour. This investigation disclosed the fact that the financial position was very much worse than shown by the statement—passed by the local auditors—forming Appendix A (5) hereto. Thus, with an opening overdrawn balance on the 1st January, 1897, of £399 16s. 2d., and the deficit in revenue during the five years of £8,850 6s. 4d., an overdrawn balance of £9,250 2s. 6d. is produced as on the 31st December, 1901. But to this must be added expenditure omitted therefrom on Plant (£2,571 9s. 2d.), Dog Badges, Council Chamber and Town Hall Furniture, &c., amounting to £4,416 4s. 10d., Expenditure in connection with the Steenbras purchase, amounting to £1,630 9s. 3d., and Errors to be corrected amounting to £139 5s. 6d., increasing the overdraft to £15,436 2s. 1d. On the other hand certain receipts from the Rapenburg Farm, amounting to £2,058 11s. 6d., have not been included in the Revenue, thus leaving a net sum of £13,377 10s. 7d., for which provision had to be made. The rate for 1902 was increased from 2d. to 4d., which will produce some £6,000 more than in 1901; but it is evident that this will only partially meet the deficit, especially as the expenditure is likely to increase. Probably £7,000 or £8,000 will still have remained unadjusted on the 31st December, 1902. It may be added that the Council has prided itself on Plant having been "entirely paid for out of rates," "we have not borrowed any money for the purchase of wagons, carts, mules or anything of the kind. All has been paid for out of rates." But so far from such being really the case, the money, £4,416 4s. 10d., has been wholly obtained by overdrawing at the Bank, and the expenditure has been entirely omitted from the Revenue and Expenditure Accounts issued by the Council.

Tonkin — 414.

92. The Rondebosch financial statement first submitted to your Commissioners (Appendix A (6)) also proved unsatisfactory, and necessitated a similar personal investigation and a reconstruction (Appendix A (7)). To the deficit in Revenue during the five years, amounting to £1,619 1s. 11d. has to be added the net expenditure in connection with the Steenbras purchase amounting to £1,000 14s. 0d., which, when the opening credit balance on the 1st January, 1897, of £230 17s. 5d. is deducted, leaves an overdraft of £2,418 18s 6d. on the 31st December, 1901, as shown in the amended statement. This would be equal to about one-third of the rate, and it is doubtful whether it will be adjusted in the current year (1902).

Earp. — 8243-8253. 12097-12103.

93. The Claremont statement of Revenue and Expenditure (Appendix A (8)) is also incomplete. The deficit in Revenue, as shown therein, amounts to £1,825 3s. 8d., which with the opening overdrawn balance on the 1st January, 1897, of £974 0s. 9d. makes the overdrawn balance of £2,799 4s. 5d. on the 31st December, 1901, shown in the statement. But there had been further expenditure on plant, mules, etc., amounting to £5,067 5s. 10d., which is not included in the statement, and thus increases the overdraft in connection with the ordinary receipts and expenditure to £7,866 10s. 3d. The Loan Account had lent £9,000 to the ordinary account in view of this overdraft. But the ordinary account had been charged with certain other expenditure which is to be hereafter provided for by Loan, so that actually

Donnan. — 2227-2229.

Walker. — 2230-2241.

and finally the ordinary account in the Bank—notwithstanding the £9,000 loan—was overdrawn by £4,337 13s. 9d. on the 31st December, 1901.

94. To the Wynberg deficit in Ordinary Revenue during the five years, amounting to £7,330 5s. 9d., has to be added the overdrawn balance on the 1st January, 1897, of £429 19s. 8d., leaving a deficit of £7,760 5s. 5d. The Water receipts exceeded the payments by £117 11s. 7d., but the Water account opened on the 1st January, 1897, with an overdraft of £1,075 15s. 1d., of which £958 3s. 6d. thus remained at the end of the period. The total deficit on the 31st December, 1901, was therefore £8,718 8s. 11d. Evidence was given to the effect that the 31st December was the most unfavourable date for judging of the Wynberg finances, inasmuch as the rates fall due on the 1st February. But in view of the fact that the whole rate equals only about the amount of the deficit named, it seems evident that a large part of such deficit will have remained still unadjusted on the 31st December, 1902, probably from £4,000 to £5,000.

Vollmer — 6141. Vollmer. — 6065-6073.

95. It is apparent from these criticisms that the deficits in ordinary Revenue on the 31st December, 1901, were far more serious than disclosed by the list given in paragraph 88—which was based solely on the statements rendered. The true figures are as shewn in the following table:—

TABLE VIII.—Showing Deficits in ordinary Revenue of certain Municipalities during the five years ended 31st December, 1901, as ascertained by the Commissioners.

	£	s.	d.
Sea Point and Green Point	3,784	2	10
Woodstock	4,904	3	2
Mowbray	13,377	10	7
Rondebosch	2,418	18	6
Claremont...	7,866	10	3
Wynberg	8,718	8	11
	£41,069	14	3

96. Now your Commissioners do not for a moment wish to imply that these Municipal Bodies are in financial straits or in any respect unable to meet their liabilities. The facts seem rather to point, in your Commissioners' opinion, to the natural tendency of small local governing bodies to avoid taxation as much as possible. So far as this takes the form of economy coupled with efficiency it is deserving of all praise, but the postponement of a settlement of liabilities and their omission from the current accounts appear to be a wholly undesirable course. The fact that the larger body in Cape Town has boldly met its liabilities seems to your Commissioners to accentuate the value of the unification already recommended, showing as it does that with the greater Council there would be less danger of improper financial methods being perpetuated. Doubtless to some extent the financial position in the Suburbs has been brought about by the inefficiency of permanent officers; but here again the need of unification comes in, since, in view of the restricted salaries to which the smaller Municipalities are limited, it is difficult for them to obtain as officers men who combine competency in administrative matters combined with a knowledge of accounting and finance.

96A. The percentage of the receipts during 1901 of each of the eight Metropolitan Municipalities, to the total is given in Table VI. on page 11. In order that the value of the respective sources of revenue and the chief causes of expenditure may be illustrated, an abstract of the receipts and payments of all the Municipalities is given under suitable headings in Appendix A (14). As already explained, the conclusions are somewhat incomplete, but they are sufficiently exact to afford interesting and valuable information.

97. *Establishments.*—The cost of the Clerical and Accounting staffs has increased considerably of late years, but the Table which follows shows no great variations in the percentages of such salaries to the ordinary revenue except in the case of Woodstock; the evidence tendered by that Municipality showed, however, that the matter was receiving earnest attention. Your Commissioners are strongly of opinion that even if the cost of the Establishments be not reduced by unification of the Municipalities much greater efficiency will be obtainable for the sums spent under this heading.

Moore. 3453-62.

TABLE IX, showing the total ordinary revenue of each of the Metropolitan Municipalities (except Maitland) during 1901, the Expenditure on Clerical and Accounting Establishments and the percentage of the latter to the former.

Municipality.	Total ordinary Revenue, 1901.	Salaries Clerical and Accounting, 1901.	Percentage of Salaries to Revenue.
	£ s. d.	£ s. d.	
Cape Town	187,386 3 11	8,237 4 2	4·40
Green & Sea Point ...	16,206 7 5	790 14 0	4·88
Woodstock	18,342 4 8	1,578 1 8	8·60
Mowbray	8,016 11 10	424 3 4	5 29
Rondebosch	10,429 19 9	560 0 0	5·37
Claremont	15,615 8 7	654 0 0	4·19
Wynberg ... ... *	10,536 4 10	488 6 7	4·63
	266,533 1 0	12,732 9 9	4·78

* Maitland is omitted.

98. *Indebtedness.*—It was manifestly desirable that the exact position of the Municipalities in regard to Loans of a more or less permanent character should be ascertained, and this has been accomplished. The Statements published in Appendix L (1) to (9) give the facts in great detail in regard to each Municipality, and their accuracy has been confirmed by the Municipal Bodies. The statement given as Appendix L (10) summarises the totals but showing the Municipalities from Sea Point to Wynberg in one group and Kalk Bay and Simonstown in another.

Not only do these statements show the borrowing powers and to what extent they have been exercised, the repayments and the actual debt outstanding, but they also give the disposal of the sums borrowed; further, the transactions in connection with Water, Drainage and Sewerage and Electric light are throughout kept distinct.

99. With further reference to the statements contained in Appendix L (10), and in view of your Commissioners' recommendation that the Metropolitan Municipalities should be unified, it will be an advantage to tabulate separately the debts of those Municipalities for the purpose of showing in brief what the combined debt of the unified Municipality would have been as on 31st December, 1901, and what the purposes were for which the loans were severally raised. With this object, the following Table has been constructed. It shows that the combined debt would have been £1,573,622 18s. 8d. at that date, and that the total present annual charge on that debt for interest and sinking fund contributions is £68,780 15s. 10d.

TABLE X.—Showing the Debt outstanding on 31st December, 1901, in connection with the Loans raised by each of the Metropolitan Municipalities, and the purposes for which such Debt was incurred.

Purpose of Loan.	Green and Sea Point.	Cape Town.	Woodstock.	Maitland.	Mowbray.	Rondebosch.	Claremont.	Wynberg.	Total.
	£	£	£ s. d.		£ s. d.	£ s. d.	£ s. d.	£	£ s. d.
General	28,750	134,289	48,000 0 0	Nil	37,500 0 0	24,817 2 7	31,060 12 1	24,848	329,264 14 7
Water	7,500	396,600	*56,723 16 0	Nil	56,723 16 0	56,723 16 0	56,723 16 1	74,852	705,847 4 1
Drainage and Sewerage	51,750	379,761	..	Nil	..	..	..	17,000	448,511 0 0
Electric Lighting ..	..	90,000	..	Nil	..	..	..	..	90,000 0 0
	£88,000	1,000,650	104,723 16 0	Nil	94,223 16 0	81,540 18 7	87,784 8 2	116,700	1,573,622 18 8

* Not including £20,000 re Oliphant's Hoek Water Scheme.

100. The debt per head of the Population of these Municipalities is shown in the following Table XI :—

TABLE XI.—Showing the Debt per head of Population of the Metropolitan Municipalities, as on the 31st December, 1901.

	Population.	Debt per Head re				Total Debt per Head.
		General Purposes.	Water.	Drainage and Sewerage.	Electric Light.	
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Green and Sea Point ..	7,567	3 16 0	0 19 10	6 16 9	..	11 12 7
Cape Town .. .	64,171	2 1 10	6 3 7	5 18 4	1 8 1	15 11 10
Woodstock	25,032	1 18 4	2 5 4	..	..	*4 3 8
Maitland	3,947	..	..	..	..	..
Mowbray	8,237	4 11 0	6 17 9	..	..	11 8 9
Rondebosch	5,791	4 5 8	9 15 11	..	..	14 1 7
Claremont	13,166	2 7 2	4 6 2	..	..	6 13 4
Wynberg	13,697	1 16 3	5 9 4	1 4 10	..	8 10 5
	141,608	2 6 6	4 19 8	3 3 4	0 12 9	11 2 3

* Not including £20,000 *re* Oliphant's Hoek.

These figures are instructive and show Cape Town in a very favourable light—more so than the real facts warrant, since nearly £147,500 had been spent out of the Revenue pending the raising of Loans, and the whole unused borrowing powers of that Council amounted to £1,544,854, and will doubtless soon be exercised.

101. The great variations in the rateable value per head (*vide* Table III., page 8) make this return of debt per head somewhat misleading if taken by itself. It is desirable therefore to give the following Table XII. of the Debt per pound of the Valuations :—

TABLE XII.—Showing Debt per £ of the Valuations of the Metropolitan Municipalities as on the 31st December, 1901.

	Valuation.	Debt per £ of Valuation.				Total Debt.
		General purposes.	Water.	Drainage and Sewerage.	Electric Light.	
Green and Sea Point ..	1,366,325	5d.	1d.	9d.	—	1s. 3d.
Cape Town	12,272,190	3d.	8d.	7d.	2d.	1s. 8d.
Woodstock	2,071,900	5d.	7d.*	—	—	*1s. 0d.
Mowbray	820,000	11d.	1s. 5d.	—	—	2s. 4d.
Rondebosch	874,344	7d.	1s. 3d.	—	—	1s. 10d.
Claremont	1,273,500	6d.	11d.	—	—	1s. 5d.
Wynberg	2,025,692	3d.	9d.	2d.	—	1s. 2d.
	20,703,951	4d.	8d.	5d.	1d.	1s. 6d.

* Note.—£20,000 *re* Oliphant's Hoek is omitted.

It will thus be seen that as regards Total Debt, while Cape Town shows the largest sum per head, it comes third in the list based on valuation, Rondebosch is second in both and Woodstock last and least in both. Mowbray, while fourth per head, is first on valuation; Sea Point is third per head and fifth on valuation, Claremont is sixth per head but fourth on valuation, and Wynberg is fifth per head and sixth on valuation.

THE UNIFIED COUNCIL.

102. While they are not of opinion that the area of the unified Municipality is too large to be under the jurisdiction of one supreme elective Municipal Council, your Commissioners recognise that the area must be sub-divided in order that this Council may be fairly representative of every local interest. One witness, who has had considerable experience as a Town Councillor in Cape Town, says in his evidence, "You need not do away with the Municipalities as they now are, if they are only treated for these purposes as Wards of a larger Municipality." Your Commissioners consider that there will be an immediate advantage in retaining the existing boundaries of the several Municipalities as the boundaries of the necessary sub-divisions of the unified Municipality; but they recommend that these sub-divisions should be designated "Districts" instead of "Wards." The principal reason for this is that your Commissioners are in favour of introducing the Ward system and that some of these expiring Municipalities or "Districts," as they are now to be termed, will have again to be sub-divided into Wards. The retention of the old boundaries of Municipalities as boundaries of Districts has in its favour also the fact that they have been long established and will continue to mark out localities with whose names much popular sentiment is intimately associated.

Smart. — 12571.

103. There being at present eight Municipalities to be unified, there would be a corresponding number of Districts in the consolidated or unified Municipality, and each of those Districts would be a "Rating District," as will be more particularly described hereafter. With reference to the proposed sub-division of some of the Districts into Wards, your Commissioners draw attention to the fact that, before they began their enquiry, the institution of the Ward system had been receiving attention from the ratepayers in some of the larger Municipalities, notably in Cape Town, where, indeed, a Ward system for the election of Councillors and for other purposes was formerly in existence. In addition to the evidence of witnesses whose names are noted on the margin, there is the evidence of the delegates of the Working Men's Association of South Africa, who are strongly in favour of the Ward system, believing as they do that it offers the best means of securing the fairest representation of all interests. They say: "If you have any complaint, under a Ward system you will be able to fix your Councillor and bring him to book; but now it is such an easy matter to say—I can't help it, so and so is responsible." Another witness, speaking of the neglected condition of District No. 6, of Cape Town, says: "I think if members of the Council had been elected to represent Wards, more would have been done for that No. 6 District; and the result of election at large is that electors have no particular interest in any of the men, and when they are elected, there is no Councillor to whom one could especially look as representing your Ward or street." It will thus be seen from the evidence that so far as the individual Municipality of Cape Town is concerned, the reintroduction of the Ward system was believed to be necessary and likely to be beneficial. In the case of the proposed unified Municipality, there is reason to believe that the need would be greater and that the benefits would be more certain. For, when they are brought together into the unified Municipality, the several component Districts will be dissimilar in some respects, most of all in respect of their population, which will range from about 4,000 up to 70,000; and, as it

Hay. — 9840-50.
Edl. — 11443, 13:58-62.
Jacob. — 13253-62.
Hay. — 9840.

would manifestly be inexpedient that the several Councils should represent constituencies so grossly disproportionate, the only alternative seems to be to redress the inequality by a further sub-division.

104. The advisability of introducing the Ward system having thus been shown, the question of the number of the Wards has next to be considered. It appears to your Commissioners that it will be expedient to subdivide the 8 Districts into 19 Wards; and, in pursuance thereof, they recommend that these Wards should be allocated to the several Districts as follows:—to Green and Sea Point—1 ward; to Cape Town—9 wards; to Woodstock—2 wards; to Maitland—1 ward; to Mowbray—1 ward; to Rondebosch—1 ward; to Claremont—2 wards; and to Wynberg—2 wards. In the number of wards thus allocated to the Cape Town District no provision is made for the area of Camps Bay, so that hereafter, in the event of its becoming a populous area and of the Municipality being extended so as to include it, Camps Bay would become the ninth District and the twentieth ward of the unified Municipality.

105. The eight Municipalities which it is proposed to unify have an aggregate of seventy-eight Councillors, the number for each Council varying from six to eighteen. Your Commissioners consider that the work of the unified Municipality, including the work of its Committees, can for the present be undertaken by a Council consisting of sixty members.

106. In arriving at the distribution of these Councillors between the several Districts, your Commissioners have borne in mind the principle that such Councillors should, as far as practicable, represent areas of equal importance in regard to wealth and population. This principle was acknowledged by the Federation Commission of 1872 and adopted in the distribution of seats in the Legislative Council when Act No 18 of 1874 was passed; and it was further followed in 1880 when the representation of Griqualand West had to be settled. Area as well as wealth being a point to be considered in Municipal matters, your Commissioners have given equal weight to each, while at the same time regarding population as of a value equal to that of the two together. Thus, in the subjoined Table is shown the area of each District and the exact proportion of sixty members which could fall to each District on that basis; then the similar facts in regard to Rateable Value, and then the mean result of the two; similar figures are then given in regard to population, and the mean of the latter figure and of that previously attained. Your Commissioners have then shown the number of Councillors they would recommend for each District and for the Wards. It will be found that the distribution is as nearly equal as is practicable, and it may therefore be hoped that it will give satisfaction to the ratepayers.

TABLE XIII.—Showing the apportionment of a Council of sixty members to the several Districts, calculated on the basis of Areas, Value of Property and Population; with recommendations thereon.

	(*a*)	(*b*)	(*c*)	(*d*)	(*e*)	(*f*)	(*g*)			
	Area.	Proportion of 60.	Rateable Value.	Proportion of 60.	Mean proportion of (*b*) and (*d*).	Population.	Proportion of 60.	Mean proportion of (*e*) and (*g*).	Representation proposed.	Wards proposed.
Green and Sea Point..	1,310	3·62	1,366,325	3·90	3·76	7,567	3·21	3·485	3	1
Cape Town	6,129	16·93	12,272,190	35·04	25·985	64,171	27·19	26·5875	27	9
Woodstock	1,609	4·44	2,071,900	5·92	5·18	25,032	10·61	7·895	8	2
Maitland	1,964	5·42	310,000	·88	3·15	3,947	1·67	2·41	3	1
Mowbray	1,566	4·32	820,000	2·34	3·33	8,237	3·49	3·41	3	1
Rondebosch ..	2,189	6·05	874,344	2·50	4·275	5,791	2·45	3·3625	3	1
Claremont	3,386	9·35	1,273,500	3·64	6·495	13,166	5·58	6·0375	6	2
Wynberg	3,573	9·87	2,025,692	5·78	7·825	13,697	5·80	6·8125	7	2
	21,726	60	21,013,951	60	60	141,608	60	60	60	19

The recommendations of your Commissioners are therefore as follows:—

Sea Point & Green Point.			1	Ward.	3 Councillors.
Cape Town	...	...	9	"	27 "
Woodstock	...	...	2	"	8 "
Maitland ...	...	...	1	"	3 "
Mowbray	...	...	1	"	3 "
Rondebosch	...	...	1	"	3 "
Claremont	...	...	2	"	6 "
Wynberg...	...	...	2	"	7 "

107. As far as the question of Ward boundaries is concerned, your Commissioners are of opinion that these should be determined before the first election of Councillors is held in accordance with the provisions of the necessary Act of Incorporation. But as they are not in possession of information on which they can proceed to demarcate the Wards, your Commissioners now recommend that the Act of Incorporation should empower the Governor, before the first election takes place, to proclaim such Ward boundaries as, after due enquiry, may be found to be most suitable in the premises.

108. The details necessary to be provided for in respect of the qualifications of Councillors and of voters are all dealt with in the draft Bill to be found in Appendix M. With reference to the right of voting, your Commissioners, after the most careful consideration of all the points involved, recommend that such right should be given to all persons having the necessary qualification, that plural voting should in all cases be abolished, and that no person shall lawfully be registered as a voter in more than one Ward, the right being reserved to the voter to determine in which District or Ward of a District he may be registered, in the event of his being qualified to be registered as a voter in more than one District or Ward.

109. Your Commissioners recommend that the Councillors elected for each District, or such number of them as may be determined by the Council, shall form a District Committee. They are, however, of opinion that the duties of those District Committees should not be defined in the Act of Incorporation, but should be such duties within the District purely of a local administrative character as the Council may from time to time lawfully delegate to the Committee.

THE UNIFIED COUNCIL AND WATER SUPPLY.

110. Reverting to what has already been said in this Report (paragraphs 19 to 36) your Commissioners recommend that one of the matters which should have the earliest attention of the Council of the unified Municipality should be an instruction to their proper officers to take the necessary steps for determining which of the several suggested sources of Water-supply it will be most advisable for the Council finally to adopt. Attention has been drawn (paragraph 30) to the fact that the Town Council of Cape Town has already undertaken some further preliminary investigations in connection with this matter, but declines at this moment to let the results be known publicly. It will be for the enlarged and unified Council to determine how far such further preliminary investigations as have been so carried on meet all the requirements of the case. But from what your Commissioners have said on "Sources of additional water-supply," it will be understood that they are of opinion that there is no necessity for more than one scheme for bringing in water. The unification of the Municipalities must do away with all need for multiplying schemes, and indeed the advantages, economical and otherwise, of a single scheme are amongst the best of the reasons for that unification. To bring water from two or three sources, each 40 or 50 miles distant from the area to be supplied—an area with a total population at present of only 170,000 and with a probable population of 500,000

Paragraph 27 et. seq.

Tonkin. 571.

after twenty-five years—and to do so while a sufficient supply for such probable population can be obtained from one source, would be a waste of money. That such would be the case will be seen from the evidence of Mr. Stewart, who states that such a proposal would add 50 per cent. to the cost. In reply to this objection it is argued that revenue from the sale of water to places on the way would cover that 50 per cent. on the cost. This is altogether problematical; because to provide for the requirements—present and prospective—of places on the way would naturally necessitate a larger initial expenditure of capital on the enterprise. Your Commissioners believe that the proposed Council will also take this view; and, if so, it only remains for your Commissioners to urge the absolute necessity of having an exhaustive preliminary examination of the proposed sources of supply before a final decision is come to. Doubtless the Engineers of the Council will be able to advise in what manner the time required for the preliminary examination can be most advantageously used for the purpose of accelerating the final completion of the undertaking.

111. In view of the rapidly increasing population, and of the scarcity of water already met with in some portions of the Metropolitan area, your Commissioners have given much consideration to the means immediately available for augmenting the supply. Apart from the additional reservoirs now in course of construction for Cape Town and for the Suburban Municipal Waterworks, the only other source seems to be the Orange Kloof Farm (*vide* paragraph 23). But to bring a water supply from this collecting area, another reservoir will first have to be constructed; and to do this would in all probability take longer than it is to be hoped will be required to complete the second Cape Town Table Mountain reservoir. The Orange Kloof supply would therefore be belated while, as a permanent source of additional supply, it is too limited to be very valuable. Your Commissioners therefore can only urge that the reservoirs now being constructed should be completed with all possible dispatch; and that it should be left to the Engineering staff to determine in what way the supplies from these reservoirs can best be made available for consumers throughout the unified Municipality pending the consummation of the larger scheme. In the intervening period the mountain reservoir supplies may, with care and economy, meet requirements especially so long as the suburbs are unsewered and therefore unprovided with a water carriage sewerage system.

112. From what has hereinbefore been recommended by your Commissioners it would follow that all the several water supply systems and properties such as the Steenbras or Oliphant's Hoek farms which may have been purchased by any Metropolitan Municipalities for water supply purposes will become the property of the unified Municipality. It would, however, manifestly be unjust that until the large additional supply is actually made available, a Municipality such as Cape Town or Wynberg should be in any sense deprived of its present advantages. Your Commissioners would therefore recommend that until the new supply is available all the old supplies should be carefully administered for the benefit of the Districts to which they at present belong. When, however, an ample supply for all needs is actually available your Commissioners would propose that the present supply should be "pooled" with it and be equally available for any part of the unified Municipality. It would follow that the cost of all the present water schemes even though some of them may represent expenditure which ultimately proves to be non-reproductive, should be charged to the general water account and form part of the capital expenditure thereon. The outstanding debt in connection with any such purchases would become part of the debt of the unified Council and each District would be entitled to a refund from the water account of any sum which may have been expended out of revenue either in

connection with waterworks construction or purchase or repayment of water debts. Your Commissioners are of opinion that in view of the circumstances of the case any attempt to value the water properties would be undesirable. Taking Wynberg as an instance, while at present with a scarcity of water in the suburbs, the Wynberg Waterworks form a very valuable asset, it is manifest that the value of that asset is adventitious and would be materially reduced by the introduction from a distance of an ample supply for all purposes. It would not be fair on the one hand that any accidental increase in the cost of any present works should tell against a particular District, nor on the other hand would it be justifiable that a particular District should be credited with any adventitious value which will have vanished when the larger supply becomes available.

The existing debt and interest thereon would of course at once become a liability of the Unified Council, but the interest would be chargeable against the water accounts of the Districts concerned until the water supply is "pooled" as indicated, when it would become a charge against the water account of the unified Municipality.

113. *Legislative Provisions.*—From what has already been said it cannot but be quite clear that waterworks constructed in accordance with the recommendation herewith reported by your Commissioners, must include a reservoir for impounding and for storing all or part of the water, including stormwater, of some perennial stream and its watershed, or portion thereof, subject to riparian rights. But any such scheme must necessarily involve some interference with the flow of water passing down the particular stream selected.

114. In theory it seems possible to limit such impounding and storing to stormwater only; but your Commissioners are advised that, in practice, any public authority proposing to impound a large volume of stormwater, will find it almost impossible to prove that the proposed enterprise does not interfere at some season of the year with the normal or ordinary flow of the stream. And, when the catchment area is agreed upon, even if the impounding of the stormwater should be proved to cause no diminution of the normal or ordinary flow of any stream, yet such impounding of stormwater would of itself most probably give rise to difficulties with lower riparian proprietors to whose land such stormwater would otherwise have flowed. Your Commissioners realize that the law of this Colony regarding riparian rights in stormwater is not altogether clear, and that much depends on the circumstances of each particular case; at the same time they are advised that, according to the better view, stormwater flowing down the channel of a perennial stream cannot be impounded without the consent of the lower riparian proprietors.

Schreiner.
12861-81.

115. For these reasons your Commissioners recommend that in respect of any water enterprise which may be adopted in pursuance of their recommendations the Act incorporating the unified Municipality should give the following powers:—

(*a*) Power to the Council to construct the works necessary for impounding and conveying the supply of water required by the Authority and approved by the Minister.

(*b*) Power to impound, divert and convey from the stream or streams, and from the catchment area to be selected, such supply of water as is in sub-section (*a*) provided for.

(*c*) Power to the Governor to grant in full and free property of such Crown lands as may be required for the enterprise, whether such land be situated in the locality in which the river has its origin, or in the locality at or near which it may be deemed advisable to divert and convey the supply of water.

(*d*) For the purpose of conserving water in accordance with the provisions of the said Act, power to enter, occupy or expropriate any land, whether private property or otherwise, and for the more efficient protection of such land from all pollution or contamination; and power, with the consent of the Minister, to remove all buildings or habitations thereon, to close all agricultural land, to fence the whole catchment area, to take stone, clay, etc., and to make excavations where necessary in the prosecution of the enterprise.

(*e*) Power to the Council to lay pipes, etc., under or along streets, roads and thoroughfares without paying compensation.

(*f*) Power to the Council to enter into contracts for the construction of any necessary works.

(*g*) Power to the Council to authorize its officers to enter upon any lands for the purpose of taking such observations and erecting raingauges, watergauges, etc., as may be necessary.

116. Your Commissioners further recommend that special provision be made for compensating all persons deprived of water or right of water in the prosecution of the enterprise, giving the Council the option of either compensating such person for the loss of water, or of expropriating the land or property in respect of which such person shall have the right of compensation; also for the compensation of any person whose land has been used, occupied or expropriated, or on whose land excavations have been made, or gravel, clay, etc., taken. The Act should direct that, failing agreement as to the amount of compensation, the Council shall make a written offer of a certain sum as compensation, which offer not being accepted within a defined period, recourse shall be had (by deed of submission) to arbitration. For this purpose your Commissioners are of opinion that the Act should appoint by name three arbitrators to settle all claims for compensation arising under the Act, rather than to provide for the nomination of arbitrators by the parties in each particular claim against the Council; the award of the arbitrators to be binding and conclusive.

117. It is suggested that the Act may with advantage lay down some principles for the guidance of the arbitrators; *e.g.*, that in claims for compensation for the deprivation of rights to stormwater, the arbitrators shall presume, until the contrary is proved, that such deprivation has caused no damage to the claimant.

THE UNIFIED COUNCIL AND DRAINAGE AND SEWERAGE.

118. Concurrently with the development of the Water Supply scheme, the unified Council should direct a survey to be made of the southern suburban area for its drainage and sewerage requirements. The immediate need for drainage and sewerage schemes designed in the general interests of the whole of that area has already been dwelt upon. Your Commissioners would again emphasise the danger to which Municipal and private property in the southern suburbs remains liable, owing to the suddenness with which storm water from built-upon or stripped land is discharged into channels or gullies.

119. Your Commissioners strongly recommend that a general sewerage scheme for those suburbs should be undertaken with the least possible delay. The provisions at present in operation for removing slopwater and nightsoil are abhorrent to every intelligent ratepayer; and your Commissioners believe that the ratepayers as a body will, almost at any cost, welcome the end of such methods, and of what they imply. But before any general scheme of sewerage for the whole of this suburban area is finally adopted, regard should be had to the best available means of disposing of the sewage, so that the public health shall be safeguarded in every possible way.

120. The only comprehensive survey of the area of the southern suburbs of which your Commissioners have any knowledge was that made by Mr. Dunscombe in 1892. Although the sewerage scheme based on that survey was not carried out, the survey itself shows that the whole area of those suburbs, including Wynberg, can be drained towards Table Bay. Your Commissioners are therefore of opinion that the survey recommended in paragraph 118 should be undertaken with the view of combining in one general scheme the sewerage of the whole area extending from Salt River to Wynberg inclusive. But as it appears from the evidence that the Municipal Council of Wynberg is now carrying out a sewerage scheme independently, it is advisable that the facts concerning this scheme, so far as they have been made known to your Commissioners, should here briefly be recited, the more so as the evidence referred to led your Commissioners to believe that some matters pertaining to the scheme were not so satisfactory as they ought to be. Act 27 of 1897 empowered the Municipal Council of Wynberg to raise £60,000 by loan for a sewerage scheme. This special power seems to have been necessary because at that time the Council's indebtedness for general purposes and for waterworks amounted to nearly £100,000, a sum which was about equal to ten times the Council's then annual revenue, thus approaching the limit of the borrowing powers allowed by the Municipal Act of 1882. Plans were obtained from their Consulting Engineer, the principal feature of the scheme being that the sewage was to be moved by water carriage to lands beyond the Municipal limits, where works for its bacterial treatment were to be constructed. Those lands were 70 acres in extent and they were to receive and absorb the effluent from the works, any portion not so absorbed being allowed to flow into Princess Vley. The site was suggested by the Consulting Engineer, and the land was bought by the Council for £7,000 and paid for out of the loan. The plans having been adopted by a Public Meeting of Wynberg ratepayers on 30th March, 1898, were submitted to the Minister on November 14th, 1900. Professor Simpson reported on the plans as follows:—"The description of the septic tank and bacterial filters is extremely vague, and conveys no idea as to the manner in which they are to be constructed, or of the material to be used in the filters. It would be unsafe to pass any plans on so indefinite a statement." On receiving this report, the Municipal Council referred it to their Consulting Engineer, who, on 29th March, interviewed Professor Simpson, and transmitted to the Colonial Secretary a memorandum with plans; whereupon Professor Simpson reported to the Colonial Secretary as follows:—"My opinion only refers to the disposal of the sewage. The scheme proposed may be passed with the understanding that the effluent from the filter passes on to the land referred to before passing into the Vley." Thereupon the Wynberg Council was officially informed that "subject to the above proviso, Mr. Graham (the Colonial Secretary) is satisfied, in terms of Section 18 of Act No. 23 of 1897, that the proposed scheme is 'suitable and the best practicable.'" The Municipal Council then published the required Notices, dated 8th January, 1902, describing the drainage scheme and the proposed works, and calling for objections. The notice contained, *inter alia*, the following, viz.:—"The said sewer is intended to terminate in the property of the Municipality between Princess Vley and the Old Rifle Range, and beyond the limits of the Municipality passes through the property of Mr. A. Carnatz." Objection was formally lodged by Mr. Carnatz. On the 10th February, 1902, the Municipal Council "respectfully request the sanction of His Excellency the Governor in terms of Section 40 of the aforesaid Act (32 of 1893) to proceed with the work." In reply, the Council was, on the 21st March, 1902, informed that as the matter was "one coming within the scope of the Commission recently appointed to investigate and report upon matters connected with Municipal Government in the Cape Peninsula, the Colonial Secretary is of opinion that

Vollmer.
6622-749. 7482-7538.

6627.

Report to Col. Sec. 19th March, 1901.
7501.

Col. Office letter, 1st April, 1901.

it is inadvisable to come to any decision in regard to the Wynberg Municipal Drainage Scheme until the Commission referred to has had an opportunity of expressing its views." Although no further sanction has been given to the scheme than the qualified approval of 1st April, 1901, the Wynberg Council have proceeded with the work of laying the sewage main outside their area, and it would appear from the evidence that after receiving the Colonial Secretary's letter last quoted, the Council, having already entered into a contract in respect of the work, settled matters with Mr. Carnatz by "buying him out" for the sum of £900. Your Commissioners, however, cannot but look upon the sewage disposal part of the Wynberg Drainage Scheme as being more than likely to create in the locality a nuisance and a danger to health. And for these reasons your Commissioners are of opinion that the Wynberg Drainage Scheme should remain in abeyance, and that the whole subject should receive the earliest attention of the Unified Council.

Vollmer. — 7434–7511.

121. In the absence of evidence as to the probable cost of schemes for draining and sewering the southern suburban area as a whole, your Commissioners hesitate to make an estimate. But they would point to the expenditure already incurred in draining and sewering the Cape Town District, as given in paragraph 53. The area of the southern suburbs being larger than that of Cape Town, it may be taken for granted that the cost of draining and sewering those suburbs will not be less than the cost of draining and sewering the Cape Town District.

THE UNIFIED COUNCIL AND LIGHTING.

122. Lighting is one of the subjects of importance to the Municipalities on which your Commissioners are specially instructed to enquire and report. Asked if there is a general desire on the part of the public to be supplied with electric lighting, the Electrical Engineer to the Colonial Government said, "Yes, it is a great thing to be up-to-date." 'To be up-to-date' in the matter of lighting means to 'the man in the street' to have facilities for electric lighting, public and private. As an illuminant, doubtless electricity has a great vogue; it has captured the imagination of the people in towns; and deservedly so for many reasons. Nevertheless it does not altogether hold the field, for gas is still very largely used; and if electrical works have the advantage that their product is one which can be used for other purposes than for lighting, gas plants are far from being distanced in this respect, for the use of this product for heating and cooking is almost as large as its uses for lighting. Notwithstanding the large capitals invested in works for electric lighting and power, it is probable that in the United Kingdom at the present day there is more capital invested in Gas Works, including Municipal Plants and Private Plants, than is invested in Electric Works,* and that the new investments in Gas Works keep well abreast of the new investments in Electric Works, if indeed they are not ahead of them. The Metropolitan area of the Cape Peninsula forms no exception in this respect. In spite of much use of electric lighting and oil lighting in Cape Town, the consumption of gas in the city is considerable, and this too although complaints are made both as to the quality and cost of the article supplied. Further evidence as to the popularity of gas is given by an experienced City Councillor, who thinks that the City Council would do a very wise thing to take over the plant,

Clarke. — 7262.

Clarke — 7272.

Hav. — 9888.

Ball. — 11951–61.

* In a return to House of Commons, March 9th, 1899 (quoted in the *Journal of Royal Statistical Society* Vol 63, *page* 497) the following figures are given as the results of the *Municipal* Gas and Electrical Lighting enterprises of England and Wales for five years ended March, 1898:

Plant.	Average Annual Income.	Average Working Expense.	Average Amount for Interest; Re-payment of Loans, &c.	Net Balance.
Gas Works	£4,517,126	£3,336,918	£809,868	£370,340
Electric Lighting	304,499	168,755	130,406	5,338

"*Municipal Administration*," *by Mr. John A. Fairlie, page* 338.

an opinion which he holds while approving at the same time of the very large amount now being expended by the Council in developing its electric plant. Still, further, although the Cape Peninsula Lighting Company holds contracts for supply of electric lighting in several of the southern suburbs (viz.: Mowbray, Rondebosch, Claremont and Wynberg), your Commissioners learn that the Cape Town and District Gas Light Company, under date 13th December, 1901, informed the Mayor of Claremont that as they are "putting their gas main through the Main Road of your Municipality, *en route* to Wynberg," they would be pleased to enter into negotiations with a view to business. *Dunn.* — (Correspondence put in.) *Lennan* — 2987.

123. The Cape Town and District Gas Light Company has been in existence for many years; it has the field to itself, and seeing that the Company is extending its mains to Wynberg, the presumption is that the enterprise is a profitable one. The original capital of the Company is said to have been £40,000, but the amount of the present capital has not been disclosed in the evidence. Speaking with reference to the use of the Company's gas in Sea Point, one witness says, gas "is very much more expensive here" than in other parts of the world; "I think they (the Company) charge us 10s. 6d. for 1,000 feet, and I think in London you get it for 4s. 3d." Speaking for Cape Town, another witness says the charge is "anything but" a reasonable one. "Ten shillings per 1,000 feet seems to be a very high figure." The charge was reduced for a short time to about 9s. 0d., but when the new Company took over they put up the charge to its original figure. *Ball* — 11959. *Hay.* — 9894. *Ball.* — 11956.

124. The Cape Peninsula Lighting Company (which confines its operations to electric lighting) seems to have been formed in 1893; the original capital was £25,000, increased after a few years to £44,800; at which figure it stood until 1900, when a new Company took over, and increased the capital to £99,000. The highest dividend paid by this Company has been 7%, the lowest 4%, while for one year no dividend was paid. The enterprise cannot be pronounced to have been a handsomely profitable one if these figures are to be accepted as revealing the whole facts. Neither has the product been satisfactory to the consumers. Thus the Mayor of Mowbray says: "The light is not good; we have remonstrated; they have not got the power." It appears that the Company are taking steps (1902) to increase their power. The cost to the Municipalities for public lighting, and to the private consumer for house lighting is differentiated, and has been the subject of correspondence between the Municipality of Claremont and the Company. The points at issue were (December, 1901,) referred to the Colonial Electrical Engineer for his opinion, and the correspondence, with the Engineer's opinion, was discussed at a Conference of Councillors, and has been in evidence before your Commissioners. The Company's charge to the Municipalities for street lamps has been 7½d. per night (about £1,700 per annum in all for Claremont); to the private consumers, 1s. 9d. per Board of Trade unit. The Councils regard these charges as excessive. "The Company are prepared, however, to reduce the charges to 7d. per lamp per night for street lighting, and to 1s. 6d. per unit for house lighting as from two years hence; but these charges are also considered excessive." The Colonial Electrical Engineer replies: "It would in my opinion be quite impracticable for the Council (of Claremont) to erect plant of their own to supply such a small number of lamps (200) and to maintain them and also the necessary poles and wires for so low a rate. Further, the charges made by the Company to the general public for private supply are considered excessive. I can only say that this is not my opinion. The cost of electric lighting is to a great extent controlled by the magnitude of the undertaking and it is not possible to compare the rates in a small and very scattered district such as the southern suburbs of Cape Town with other places more favourably situated for large outputs and *Dunn.* — (Correspondence put in.) *Tonkin.* — 1429. *Dunn.* — (Correspondence put in.)

in a compact area. Due allowance must be made for the high prices that have to be paid for coal, wages and all other supplies. With all these circumstances taken into consideration, the charges made are fair and reasonable."

Clarke. — 7837. In his evidence before the Commission, the Electrical Engineer says: "Considering the district they (*i.e.*, the Company) have got to deal with and that it is a small concern, I must say that it is very difficult to see how they could supply it (the unit) at a figure below 2s."

Ball. — 11971. *Ball.* — 11927. 125. On the other hand, the charges made by the Cape Town Council to consumers in the City compare "very favourably" with those made by the Company to consumers in the suburbs. "Our maximum charge is 1s. 2d. per unit; but we have a minimum charge of 8d. per unit. That is to say, our charge is based on a sliding scale according to consumption. A consumer taking 1,200 units per month pays the minimum charge of 8d. and, according to the diminution in the quantity taken, the price per unit is increased until the maximum of 1s. 2d. is reached. I may add that our charges for a 'day load' are very much smaller than for a 'night load.' We charge about half the 'night load' charges. The town gets the light (for street lighting) at actual cost price. It is from the private consumer that the profit is made."

Ball — 11930-12022. *Ball.* — 11948. The Council, it appears, has already offered to supply the Cape Peninsula Lighting Company with electricity in bulk, but the Company did not see its way to accept the Council's offer. At the present time the Council feels itself "quite capable of supplying the required light for the public streets (in the suburbs) as well as for private consumption, at a considerably reduced cost. That is to say, at no extra increase on what we are charging for our maximum rate now, probably less. It is a case of the larger the output the better the terms."

Bosman. — 11933-42. 126. The following figures have been supplied to your Commissioners with reference to the capitalization by the City Council in the matter of electric plant. Up to 31st December, 1901, the Capital expenditure was £139,507; of which £15,960 was spent out of revenue, leaving £66,454 still to expend. For the six years ended 31st December, 1901, the receipts have been respectively: £9,008; £12,238; £16,412; £22,038; £28,618; £33,275. "The expenditure has been about equal. Sometimes there has been a little surplus, but we have always expended it in improving our electric lighting works."

Bosman. — 11939.

127. In view of the foregoing considerations, your Commissioners are not able to recommend that the Suburban Municipalities should purchase the plant of the Cape Peninsula Lighting Company, or enter into new contracts with the Company for a term of years. Unification will at once place the whole matter of the lighting of the suburbs on a different footing; and as there will then be only one Authority to deal with the matter, there will be greater likelihood of some understanding being come to, the more so as the new and powerful plant of the City will soon be capable of a very large output. The disadvantages in this matter of lighting accruing to the suburban ratepayers from their plurality of jurisdiction, must be apparent to any one who has perused these few paragraphs. Indeed the Company in its initial proceedings with those Municipalities seems to have borne in mind the old time injunction: "Divide and rule;" for the contracts with the Municipalities, although all apparently entered into at or about the same time, are terminable at different times. The effect of this has been to create a difficulty in the way of securing united action in connection with the negotiations for the purchase. The Mayor of Mowbray says, "Our contract expires in two years from November next (1902): We can then do as we like. I have already spoken to our Council about it and advised that we should at once advertise for tenders to run from the termination of our contract, because we have never been satisfied, even from the beginning."

Tonkin. — 1438.

As far as the prospects of benefits from a Municipal Gas supply are concerned, your Commissioners cannot do better than quote the following opinion*: "The existence of a large number of both Municipal and private gas works in Great Britain renders a comparison between the two systems in that country of some value. Such a comparison shows distinct advantages enjoyed by the Municipal plants in that country. The financial results show that the prices charged by the Municipal plants are about 10 per cent. less than those charged by private works, while the quality of gas furnished grades about 14 per cent. higher for the Municipal works. At the same time the profits after making adequate charges for depreciation and sinking funds are nearly as large as those for private works . . . "The more general use of gas by the poorer classes means a great improvement in the sanitary and social life of that part of the city population which cannot be measured statistically."

128. Your Commissioners are of opinion that the minimum illuminating power and the quality of gas supplied to consumers within the Peninsula, whether by a Company or a Municipality, should be fixed by Act of Parliament, that a duly qualified gas tester should be appointed by the Government, and further, in order to enforce such provisions, gas-testing stations should be erected in suitable positions at the cost of the gas-supplying Corporation.

THE UNIFIED COUNCIL AND ROADS.

129. Leaving the principal matters relating to the Cape Divisional Council to be dicussed in Part II of their Report, your Commissioners, being of opinion that the unified Council should have charge of all roads existing within the area proposed to be unified, will here only briefly outline the grounds of that opinion and indicate some points which must necessarily have attention owing to the proposed changes. In the evidence of the witnesses who appeared for the several Municipalities there is almost a complete unanimity of complaint that the incidence of the Cape Divisional Council rating is disproportionately burdensome on the ratepayers in the Municipalities, especially in view of the fact that they also pay heavy Municipal rates. It is the opinion of your Commissioners that this disproportion exists, that it is unfair to the complainants, and that it ought to be remedied. *Divisional Council Returns.* For the year 1901 the rateable value of property, as assessed for rating by the Divisional Council in the rural or extra-Municipal area of the Cape Division, was £981,227, and the sum total of the rates levied thereon was £2,425; while the rateable value of the property within the urban or intra-Municipal area was £15,783,496,† and the sum of the rates levied was £41,103. It is also represented to your Commissioners that, although the urban or intra-Municipal ratepayers contribute so largely to the revenue of the Divisional Council, the roads situated within the boundaries of the Municipalities do not receive the attention which they require, or which the ratepayers have a right to expect in view of the taxation to which they are subjected. In addition to these grounds of complaint, there are others arising out of the maladministration inseparable from a dual control. For instance, one witness says:—"There has always been friction. A thing occurred formerly when I was Mayor (of Claremont) with reference to the width of the main road. The Divisional Council wanted to have only 30 feet of width to maintain as the main road between Cape Town and Simonstown. We urged that wherever it could be made wider, it should be made wider." Those representations failed to weigh with the Council; and representations on other occasions in other matters have similarly failed. Manifestly the fact is that many of the roads—main and divisional—within the Metropolitan *Beard.* — 10084,

*Fairlie *op. cit page* 284.

† Including £552,751 for Kalk Bay and Simonstown.

Municipalities are really streets of a town, requiring the construction, administration and control suitable for town streets. The Divisional Council, on the other hand, is a rural local authority, which has not risen to the requirements of town life in respect of streets, and is not likely to do so.

Wiener. — 13144. "Take the Protea Road," says another witness, "that is frequented daily by many, and on holidays and Sundays by thousands; but it has not got a side-walk, people have all to walk in the road itself. The Municipality take no interest in the road, because that road is vested in the Divisional Council. An offer was made to the Divisional Council of sufficient ground to form a side-walk, but they replied that they were not a body for making side-walks; what they had to do was to look after the waggon-road."

130. Difficulties of this kind are bound to become more accentuated as municipalisation advances. A remedy is called for, and your Commissioners believe that the remedy lies in excluding the Divisional Council from all control of all roads within the Metropolitan Municipalities, and in vesting the roads in the unified Council. This proposal, if it is carried out, will necessarily involve some changes in the present method of raising a revenue for Divisional Council purposes as well as in the amount of revenue which will be required by that body.

130A. Your Commissioners will return to the consideration of these points in Part II. of their Report. Here it may suffice to point out that while it is recommended that the unified Council should take over the main and divisional roads within its boundaries, it is not recommended that ratepayers within the unified Municipality should be relieved from all responsibility for the upkeep of the outside roads. Having carefully considered the matter, your Commissioners are of opinion that towards the upkeep and construction of outside roads the unified Council should make an annual contribution equal in amount to two-thirds of the year's expenditure for those purposes, but not to exceed £10,000 in any one year, and should at the commencement of each quarter of the year make an advance of one-quarter of the estimated amount of such contribution, which shall be settled on production of a certificate as soon as may be after the close of each year. The practical working of the proposal will be better understood by showing how it would have affected matters as for the year 1901. For that year the expenditure of the Divisional Council on the outside roads is stated to have been £16,000. Deducting from this amount the proposed maximum contribution of the unified Council, there would have been a balance of £6,000 required. Under the proposed arrangement this amount of £6,000 would have had to be raised by rating the properties outside the Municipalities. But, as the rate for the year on these outside properties produced less than half the sum required (viz., £2,425 instead of £6,000), it follows that either the rateable value or the rate itself would have had to be considerably augmented to obtain the amount required over and above the Municipal contribution of £10,000.

131. In the unified Municipality all laws (and special contracts and obligations) in force for the construction of new streets will continue, and its financial liabilities in respect both of the proposed contribution and of the cost of the upkeep of the roads within the boundaries, will be charged to the general rate to be levied equally throughout the unified Municipality. The liabilities of the respective Districts as for their quotas towards the "contribution," and towards the cost of the upkeep, will be in the exact proportion of their percentages of total rateable value. (Table VI, page 11*).

* The incidence of the proposed £10,000 contribution, as determined by the percentages for 1901 in Table VI for the several Districts, would be as follows:—Cape Town, £5,850; Green and Sea Point, £640; Woodstock, £970; Mowbray, £390; Rondebosch, £420; Claremont, £640; Wynberg, £950; Maitland, £140. Total, £10,000.

THE UNIFIED COUNCIL AND EXTENSION OF BOUNDARIES.

132. *Camps Bay.*—Your Commissioners have already (paragraph 8) drawn attention to the proposed extension of the boundary of the Municipality of Cape Town in view of the desirability of bringing in the lands owned by the CAPE MARINE SUBURBS LIMITED at Camps Bay. It was there pointed out that, during the late Session, the City Council had a Bill before Parliament asking for powers in this behalf, but that the proposed enacting clause was withdrawn during the passage of the Bill.

133. The proposal to extend the boundary of the Municipality of Cape Town in this direction seems to have originated in the City Council, "because," said the witnesses, "we have had some serious complaints to the effect that a large number of people go out to Camps Bay, and there are no proper sanitary arrangements." In addition to this special feature, there arose for discussion in the Council the general question of the desirability or otherwise of the establishment of another Municipality in the suburbs. "We are strongly opposed to any further Municipalities being established so near to the boundaries of Cape Town; and therefore as soon as we noticed that the Camps Bay Company were desirous of having a Municipality established there, the matter was debated by us in the Council, and it was concluded that it was inadvisable that there should be another Municipality so near to our area. We are deeply interested in that part, because all our water goes down in that direction, and, besides, we have land there in close proximity to their ground."

Ball-Bosman. — 11846-11923.

Ball. — 11847.

134. The clause in the Bill was as follows :—

> From and after the promulgation of this Act the Municipality of Cape Town, in addition to the area described in Section 2 of Act No. 26 of 1893, shall include certain land situated on the South Western side of the Municipality, the boundaries whereof shall be as follows :—
>
> From the existing municipal boundary at the point where the fountain in the kloof, near the block house, empties itself into the sea, thence along low water mark to the westward of the estate Camps Bay, granted to Anthony Oliphant on the 7th February, 1839, and to the westward of Lot "B" of the said estate, granted to the said Anthony Oliphant on the 1st of May, 1832, thence along the South Western and South Eastern boundaries of the said Lot "B," thence in a straight line to the Twelve Apostles, thence along the edge of the summit of the Twelve Apostles and of Table Mountain to the existing municipal boundary, so as to include the property belonging to the Cape Marine Suburbs, Limited.

The boundaries set forth in the clause appear not to have included the property known as "Oudekraal." Questioned as to this, the witness for the Cape Town Council said "it is not necessary that it should (include Oudekraal), because if later on, it were found that Oudekraal caused a nuisance in that way, or a danger, or if an application should be made for the establishment of a Municipality there, we could then take the same steps with regard to it that we are taking now."

Ball. — 11860.

See also 11902.

135. From what has been said in the foregoing portion of this report, it will be understood that your Commissioners take the same view as the Cape Town Council. Believing as they do that the unification of the Metropolitan Municipalities is essential for their progress and well being, your Commissioners cannot recommend that another Municipal body should be allowed to start afresh at Camps Bay. The chief objection to this extension of the boundary of Cape Town raised by the owners of property at Camps Bay is the objection with which your Commissioners have dealt in

Wahl. — 11894.

paragraph 77. Indeed it seems to be feared by those owners that, if their property is brought within the Cape Town boundary, they would have to pay the $2\frac{3}{4}$d. as ratepayers in "Cape Town for debt accumulated in the past in addition to the rate required for their particular local purposes." It seems scarcely necessary to add that any apprehension of this kind is groundless. The Camps Bay area, when brought within the unified Municipal system, will form a rating District by itself, just as its neighbour Green and Sea Point will form a rating District. Your Commissioners have been guided by these considerations, and have re-introduced the boundary extension clause into the draft Bill submitted with this Report.

136. *Church Lands at Rondebosch.*—Your Commissioners are of opinion that the opportunity which will be afforded in connection with the necessary legislation for unifying the Metropolitan Municipalities should be taken advantage of to effect the settlement by law of the questions at issue with regard to the lands known to some persons as the "Church Lands at Rondebosch" and to others as the "Camp Ground." These lands consist of two distinct lots, one of which is about $4\frac{1}{2}$ acres in extent, the other about 142 acres. The smaller lot was granted in 1863 to the Bishop of Cape Town "as a site for a parsonage in connection with St. Paul's Church, Rondebosch, the larger was granted also to the Bishop of Cape Town as a pasture land in 1854 for the use of the minister for the time being of St. Paul's, who shall be entitled to the use and profits thereof, provided that it shall at all times remain open to the public as a place of exercise and recreation." Although these lands are within the Municipal area of Rondebosch, the Municipal Council has no jurisdiction over them, in consequence of which frequent nuisances are to be met with on the lands. The Rector of Rondebosch cannot fence the properties or otherwise protect them from nuisances. The whole property is therefore a sort of "no man's land," the Rector being without funds, and the Municipality without power. It would appear meanwhile that nothing can be done in the absence of legislation empowering the Board of Trustees of the Diocese to divest themselves of such rights as it may be considered expedient for them to demit. In 1896 the Legislature was approached and was asked to sanction a proposal to hand over the lands to the Municipality of Rondebosch on condition that about 12 acres were granted in fee-simple to the Board of Trustees with a view to their selling the land so granted, the proceeds to be applied to Church or parsonage building purposes. The Bill was thrown out in the Upper House, although the proposals had the approval of the then Attorney-General, Sir Thomas Upington, and of Mr. Advocate Schreiner. There appears to have been some objection to the proposed alienation of any portion of the lands for the purpose of sale. The Mayor of Rondebosch thinks that "it is very much to be regretted that the Bill was thrown out," for "in the public interest it would be better if the land were vested in the Municipality for the people." In his evidence before the Select Committee of the House of Assembly, the Rector says: "When it was first given, the piece of ground (viz.:—the '54 grant) was far removed from any house, but now that houses have been built all round, and trees have grown up over it, it is impossible to keep the land in a tidy or decent state. A number of people deposit their rubbish there all through the year. We have to employ people in removing the rubbish, but it is impossible to keep the place clean. It was given as a pasture land, but since then the trees have overgrown it and the land has been surrounded by houses." Your Commissioners are of opinion that the Board of Trustees for the Diocese of Cape Town should be empowered to transfer the whole of the lands in question to the unified Council on terms to be arranged by arbitration, the Council to hold the lands in trust for the sole purpose of a recreation ground, and subject to such regulations as to management as may be lawfully made by the said Council and approved by the Governor. Provision in this behalf is made in the draft Bill accompanying this Report.

Earp and Andrews. — 8204–8210.

Andrews — 8208.

A.-4-96. — *Page 3.*

137. For the purpose of providing for future extensions of the boundaries of the unified Municipality so as to include within it any locality contiguously situated thereto, your Commissioners are of opinion that it may be advisable to empower the Council, after notification in the *Gazette* of their intention so to do and calling for objections, to memorialise the Governor for the purpose of having such extension proclaimed, subject to the proviso that if objections are raised and supported by a large number of those interested, the extension shall not be effected without a resolution of Parliament first had and obtained.

THE UNIFIED COUNCIL AND RATING.

138. The Rateable Values determined for the several Metropolitan Municipalities as for each of the six years 1897-1902, were set forth in Table III on page 8 of this Report. Your Commissioners have now to show the Rates which have been assessed on these values for each of those years, and have further to indicate the changes which, in their opinion, it will be advisable to make in the method of rating in the unified Municipality. The facts with reference to the rates which have been assessed are contained in the following Table XIV :—

TABLE XIV.—Showing the Rates which have been assessed by the Metropolitan Municipalities in each year from 1897 to 1902 inclusive.

		1897.	1898.	1899.	1900.	1901.	1902.
Cape Town	Owners' ..	4d.	4d.	3½d.	3½d.	3½d.	2¾d.
	Tenants' ..	Nil					
Green & Sea Point	Owners' ..	1¾d.	2d.	2d.	2d.	2½d.	3d.
	Tenants' ..	Nil					
Woodstock	Owners' ..	2d.	1½d.	1½d.	1¾d.	2d.	2d.
	Tenants' ..	Nil					
Maitland	Owners' ..	1d.	1d.	¾d.	1d.	—	⅝d.
	Tenants' ..	Nil					
Mowbray	Owners' ..	2d.	2d.	2d.	2d.	2d.	4d.
	Tenants' ..	8d.	8d.	8d.	8d.	8d.	1s.
Rondebosch	Owners' ..	1½d.	1¾d.	1¾d.	1¾d.	1¾d.	2d.
	Tenants' ..	4d.	6d.	6d.	6d.	6d.	6d.
Claremont	Owners' ..	2d.	2d.	2d.	2d.	2d.	2½d.
	Tenants' ..	8d.	8d.	8d.	8d.	8d.	8d.
Wynberg	Owners' ..	1½d.	2d.	1¾d.	1¾d.	2d.	
	Tenants' ..	8d.	8d.	8d.	8d.	8d.	

There are some noticeable features in this Table. Not the least important of them is the fact of the steady fall in the Cape Town Rate, a feature to which attention has already been drawn in paragraph 77. The fall in the Rate has accompanied an increase in the Rateable Value of 142·2 per cent., while at the same time a great improvement has been effected in the public services supplied. In the case of Green and Sea Point there has been a considerable rise in the Rate, and this rise has accompanied an increase of 50 per cent. in the Rateable Value and some improvement in the services supplied. In each of the southern suburbs again the Rate has been fairly uniform; but the Rateable Values have been much increased, and the services supplied have not improved. In the case of two of the Municipalities, Mowbray and Claremont, the final year of the series is marked by a considerable rise in the Rate, owing to the fact that those Municipalities have neglected to rate up to the level of their expenditure during recent years as already explained in paragraphs 91 and 93.

139. The Table shows that four out of the eight Municipalities levy a Tenants' Rate. The two largest Municipalities, Cape Town and Woodstock, do not assess a Tenants' Rate. Why this is so has not been specifically disclosed in the evidence; but the fact is all the more noticeable, inasmuch as it was rather to have been anticipated that, if a Tenants' Rate was advisable at all, it would have been so in Cape Town and in Woodstock, in each of which Municipalities the number of Tenants must be considerable. It has been suggested that some of the Municipalities levy a Tenants' Rate because the Owners' Rate cannot exceed 2d. without the consent of the ratepayers, a consent which it is not always convenient to apply for. But this cannot be the only reason; for it will be observed that in some instances a Tenants' Rate is assessed while the Owners' Rate is below the maximum of 2d. Be this as it may, there can be no doubt that the uncertainty in the incidence and collection of the Tenants' Rate makes this method of raising revenue one of doubtful expediency, while the fact that only four out of eight of the Municipalities adopt the method seems to indicate that its abolition is quite practicable. For the five years 1897—1901, in the four Municipalities which have levied a Tenants' Rate, the Owners' Rates have amounted in all to £111,355 1s. 1d.; and the Tenants' Rates to £21,172 3s. 2d.

140. In the case of the unified Municipality, your Commissioners are of opinion that the Council's power of rating should not be arbitrarily limited by the Act of Incorporation. Manifestly, if such a Council as is proposed to be created by that Act cannot be entrusted with large discretionary powers, there seems little to be hoped for from any proposals for unification or from any endeavours to bring about a more progressive adaptation of municipal government. If there is to be any restriction on the Council's powers in this respect, your Commissioners are of opinion that it should be in the nature of a provision that a majority of the whole Council must be in favour of a loan or of a rate which may be proposed to be raised or assessed.

141. In the unified Municipality which will be formed at first of eight Rating Districts, the governing Council must have full powers to differentiate the Rates in Districts. At the very outset of the existence of the unified Municipality, some plan such as that of the appointment of a Board of Valuers, as provided for in the draft Bill, will have to be set on foot for the valuation of the assets (other than water, *vide* paragraph 112) and for determining the liabilities of the several combining administrations. Credit could be given to the Districts concerned for any unexpended balances of loans or cash balances of ordinary revenue merged in the general account, for any rates outstanding at the time of unification which were subsequently received, and for any assets, such as plant, mules, Town Hall, stables or other buildings at the ascertained value. These assets could be placed against the debits for the outstanding loans and the rate demanded from the Districts concerned in connection with interest and sinking fund payments on loans for general purposes could be proportionately reduced; or possibly even a credit balance would be produced which could remain as a Betterment Fund for use in the District when required. Thus, while the rate for purposes which are universal throughout the Municipality would be uniform therein, rates for purposes not universal would be differentiated to meet the circumstances and needs of each District Your Commissioners are of opinion that the Board of Valuers would have to deal, amongst other questions, with that of the valuation of lands within the several Districts. It will be found that such lands would in the case of several of the Districts include land bought by the expiring Municipality and land granted by the Government for Municipal purposes. Those two classes of lands should be dealt with differently by the Board. Lands granted by the Government for Municipal purposes and still unsold should be vested in the unified Council,

the District concerned being credited with the value of the improvements made by the expiring Municipality. Lands heretofore bought by any Municipality and paid for out of revenue should have their present value determined by the Board of Valuers, the District concerned being credited with the value assigned by the Board of Valuers, and the lands being then vested in the unified Municipality and held for the benefit thereof. In addition to this, it may be found by the Council to be expedient to undertake, for instance, a sewerage or drainage system in any District or Districts, or to spend in any one year an extra amount on the construction of new streets or side-walks or kerbing in a District; and the Council must have power to determine how much of the necessary rates is to be raised in the District or Districts concerned, and how much, if any, is to be a charge on the unified revenue. Moreover, if the ratepayers in any portion of any District elect to have an improvement of some special nature, such as a superior class of sidewalk, an extra amount of public lighting or other service, the Council must be empowered to make a Special or Improvement Assessment on the portion of the District concerned. Provisions in these behalves are included in the draft Bill (Appendix M.)

(B). OTHER MUNICIPALITIES.

Kalk Bay.

142. Kalk Bay was, by Proclamation 97 dated 26th March, 1891, placed under a Village Management Board; it was created a Municipality by Proclamation 186 dated 2nd May, 1895. The area within the municipal boundaries is 8,500 acres in extent, and consists of the localities known respectively as Kalk Bay, St. James, Muizenberg and Lakeside. By the Census of July, 1902, the population was ascertained to be 2,989, being 1,624 whites and 1,365 coloured. This may be regarded as the normal winter population at the present time; but the locality being a favourite seaside resort in summer, the population is said to vary up to an estimated total of 5,000. There are probably 500 property owners, but many are absentee owners. All the valuable land (for building purposes) is now in the hands of private owners, the land having been sold, mainly by the Government, from time to time. *Fowell-Barnes*, 9329-39.

143. A little to the south of Tokai, and forming an elongated extension of the municipal area of Kalk Bay on its western side, a narrow strip of valley land well shut in amongst mountains, runs in a north-westerly direction towards Constantia Berg. The valley thus formed is described as a "huge hollow in the mountains," and is several square miles in extent. The whole of it forms an excellent catchment area, from which a very considerable quantity of water runs off, the rainfall being very little under that of the more elevated parts of the Peninsula. The valley, as far as it is within the Municipality, has been fenced, and is therefore practically free from sources of contamination. Herein, at a distance of five miles from Muizenberg, and at an elevation of 1,485 feet above sea-level, there has been built for the Municipality a storage reservoir having a capacity of 18 million gallons. Near Muizenberg there is a small service reservoir with a capacity of 100,000 gallons, to which the water is led by pipe from the storage reservoir. The Municipal Engineer, when giving evidence before the Commission, was not in a position to state the maximum supply that could be obtained from this catchment area; but he is clearly of opinion that the supply is ample. "As a matter of fact," he says, "we have practically the 18 million gallons lying idle." "By raising the dam wall about 25 feet more, and by expending about £25,000, the (storage) reservoir would give a supply of 520,000 gallons per *Bennett*, 9457-59. *Bennett*, 9418. *Powell*, 9402-4. *Bennett*, 9449-50. *Fowell-Bennett*, 9431-80. *Bennett*, 9418.

Bennett. — 9481. day for five months. The reservoir itself would contain about 140 million gallons. I may say that these works were originally designed by Mr. Thomas Stewart, and that the dam was prepared so that at any future time its height could be increased without very great additional expense." The water itself is said to be tinged with "the dye from the palmiet roots and the peat." The Engineer has been engaged with experiments for removing this discolouration. In his opinion the drawback does not affect the potable qualities of the water, and probably will be got rid of by suitable filtration; for effecting which "we intend to construct beds as soon as we are in a position to do so. We have an excellent position for them, and they can be constructed at practically a nominal cost—I think about £2,500."

144. Your Commissioners regard the position of Kalk Bay, in the matter of water supply, as exceptionally favourable. Although the population of the locality is increasing, there seems little likelihood of its outstripping the full possibilities of the local water supply for very many years; and your Commissioners, therefore, recommend that additional storage works should be provided as soon as possible, with a view to the utilisation for the benefit of the neighbouring Municipality of Simonstown of the water which is now running to waste. (*Vide* paragraph 150.)

Bennett — 9533. Powell. — 9502. 145. Stormwater drainage is receiving attention and, as elsewhere in the Peninsula, there are some difficulties to be overcome. It is to be hoped that these difficulties will be energetically dealt with, so that property will have all necessary protection speedily afforded to it against this source of danger. Slop water is to a considerable extent put through pipes into the sea at certain outfalls. There being no sewerage, sanitary removals are carried out by the Council's Contractor, but at such a charge to the inhabitants and to the Municipal revenue as would meet the interest and sinking fund of a considerable capital. A sewerage scheme is under consideration. The set of the inshore currents of False Bay is being observed by the Municipal Engineer with a view to having a suitable sea outfall. That Officer is rightly not disposed to put the crude sewage into the sea without careful enquiry into the set of the currents. "The gradients are very low and possibly we may have to pump a certain section. We may have to treat it (the sewage) by septic tanks or by some other method, but if the land is suitable we may treat it on the farm."

Bennett. — 9515.

Bennett. — 9526. 146. Lying between Kalk Bay and the Municipality of Wynberg, there is a series of Vleys, one of them being Princess Vley, into which it is proposed to discharge the effluent from the Sewage Works at Wynberg. The Engineer thinks that in the interests of the ratepayers of Kalk Bay it would be the duty of the Council to enquire very carefully into this matter. There appears to be no authority empowered to deal with the insanitary nuisances in an area such as that lying between Wynberg and Kalk Bay. It is advisable that this should be remedied; and the powers which your Commissioners are of opinion should be given to the Divisional Council or its successor in this behalf will be set forth in Part II of this Report.

Simonstown.

147. Your Commissioners find that the local needs of this Municipality owe much of their importance to the fact that Simonstown is a Naval Station.

The census taken in July, 1902, gave Simonstown a population (excluding Naval and Military) of 4,684. The white population was 3,109; the coloured 1,575. The number of habitations is given by the Town Council as 450.

Hugo. — 7196.

148. The administration of Municipal affairs seems to be left entirely in the hands of the civil population. The immovable property owned by the Admiralty has always been exempt from local rates. But, following upon a representation made in 1896, by the Town Council, an agreement was come to between the Imperial and the Colonial Government in terms of which, and in lieu of rates, a contribution to the Municipal revenue in the amount of £700 a year was to be made equally between the two Governments. In 1897 this annual contribution was applied to meet the instalments on a loan of £11,000, which sum, together with a further sum of £2,500, raised in 1899, was expended in waterworks, principally on a cement concrete reservoir having a capacity of 3,000,000 gallons. Within the Municipal boundary there is a favourably situated watershed of considerable extent. A portion of the run-off from a part of this area fills a reservoir built by the Admiralty within the area capable of holding 30,000,000 gallons and the surplus flows into a small reservoir built by the town below that belonging to the Admiralty and is led from this for the use of the town when required. In addition to this source there are a number of springs available near the town which can be depended upon to yield about 15,000 gallons a day throughout the dry season. In the wet season the yield is very considerably greater ; the surplus beyond that required for the town is led into the 3 million gallon reservoir. It is only during the dry season of the year taken say for 100 days, that the civil population have to draw upon the three million gallon reservoir in order to supplement their other supplies.

Runciman. — 5474.

149. The daily requirements of the civil population were assumed by one of the witnesses to be 75,000 gallons during the dry season of 100 days. To meet this consumption, the reservoir was estimated to contribute 30,000, and the springs 15,000 to 20,000 gallons per day, leaving a deficiency of some 25,000 or 30,000 gallons. In other words, a daily consumption of 75,000 gallons, required, for a period of 100 days, $7\frac{1}{2}$ million gallons ; towards which the reservoir stored 3 millions and the springs yielded $1\frac{1}{2}$ millons, leaving a deficiency of 3 million gallons. Such a water supply as this, it need hardly be said, is quite inadequate even for the existing population, to say nothing of its inevitable increase in the "near future." Your Commissioners therefore strongly urge that, without unnecessary loss of time, steps should be taken to bring in a larger and better supply. An assumed supply of 75,000 per day for the 100 days of the dry season, even if it could be depended upon, would not be in accordance with the real needs of the people. But, as has been pointed out, even that quantity cannot be guaranteed, and the position is made all the more serious by the fact that rather more than half of the houses are provided with water closets. No town having these sanitary conveniences should be without a domestic water supply of less than 30 gallons per head per day, but in this instance the supply is reduced to 15 gallons, and during the dry season of 100 days, is liable occasionally to be cut off altogether.

Runciman. — 5364.

Hugo. — 703.

150. Remarking in paragraphs 143 and 144, on the water supply of Kalk Bay, your Commissioners recommended that the storage reservoir belonging to that Municipality should have its capacity increased in view of the desirability of its being made a source of supply also for Simonstown.

151. The witnesses from both of these Municipalities seemed to be of the opinion that the only difficulty likely to arise would be the money one. The Municipality of Kalk Bay may not be prepared to incur an expenditure of £25,000 or £30,000 on a work for which it has no present necessity. On the other hand the civil population of Simonstown may not be in a position to guarantee interest and sinking fund on a loan in the amount required.

152. *Kalk Bay and Simonstown Ordinary Revenue and Expenditure.* Like the Mowbray and Claremont statements, that from Kalk Bay

(Appendix A (10)), represents Revenue and Expenditure incurred and not actual cash receipts and payments. Thus the statement shows an excess of ordinary Revenue over Expenditure in the five years amounting to £2,603 15s. 10d.; deducting the opening overdrawn balance on the 1st January, 1897, of £138 17s. 7d., and adding the excess of Waterworks revenue over Waterworks expenditure of £1,253 7s. 1d., the balance on the 31st December, 1901, of £3,718 5s. 4d., shown in the statement, is produced. But as a matter of fact, Rates amounting to £2,490 3s. 11d., shown in the statement, had not been actually collected, and expenditure amounting to £1,343 2s. 0d., under Act 41 of 1899 (to be hereafter recovered from owners of property) had been omitted, as well as expenditure on Plant, Live Stock, Office Furniture, &c., amounting to £2,080 12s. 6d., and preliminary expenses on Waterworks amounting to £32 14s. 0d. On the other hand, Expenditure included in the statement amounting to £601 5s. 9d., had not actually been paid up to the 31st December, 1901. These items would convert the surplus balance of £3,718 5s. 4d., shown in the statement, into a deficit of £1,627 1s. 4d. Against this deficit there are of course the assets representing rates outstanding, &c., beforementioned. As a matter of fact, a sum of £1,810 14s. 0d. was borrowed from the Loan Account (*vide* Appendix L (8)), thus restoring a credit balance of £183 12s. 8d., of which £86 0s. 11d. was in the Bank and £97 11s. 9d. in cash at the Municipal Office.

The Simonstown ordinary payments exceeded the Revenue for the five years by £2,960 10s. 6d., from which must be deducted the opening credit balance on the 1st January, 1897, of £151 17s. 0d., making the net deficit in revenue £2,808 13s. 6d. The credit balance on the Loan Account of £2,079 9s. 6d., having been temporarily appropriated for the purpose had reduced the net overdraft on the 31st December, 1901, to the £729 4s. 0d., shown in Appendix A (11). The deficit in this instance is equal to about two years' rates. There is one point in favour of this Municipality which is not shown by the accounts rendered. The Imperial and Colonial Governments are each making a grant of half of the instalment more particularly referred to in paragraph 148 where it is shown that the Municipality is relieved of all responsibility from the instalment on the Waterworks Loan of £11,000.

153. *Kalk Bay and Simonstown Indebtedness.*—The statements published in Appendix L (8) and (9) give the exact position of the Municipalities of Kalk Bay and Simonstown in regard to Borrowing Powers (which have been fully exercised), the re-payments which have been made and the amount of debt outstanding on the 31st December, 1901, while the statement in Appendix L (10) summarises the totals. The expenditure which has taken place out of these borrowed moneys is also shown in these statements and the balances held in hand on the date named.

No Sinking Fund has up to the present been provided by the Municipality of Kalk Bay except in regard to a small loan of £650 under the Local Works Loans Fund; but the whole of the Simonstown debt has been incurred to that fund and is consequently being extinguished by half-yearly payments extending over 25 years. As mentioned in paragraph 148, the instalments, both of interest and loan, of one loan of £11,000 are being provided by the Admiralty and the Colonial Government in equal proportions.

(C). THE MUNICIPALITIES GENERALLY.

Accounts, Audit, and Valuation.

154. *Accounts.*—The Acts of Parliament which at present govern Municipal accounts provide for the proceeds of loans raised and the expendi-

ture of such moneys being kept separate from the ordinary Revenue and Expenditure. In both cases, however, it is laid down that the accounts shall be entirely upon a cash basis although the preparation of an Asset and Liability Statement at the end of each half-year is ordered. Such separation of loans transactions from ordinary revenue and expenditure is manifestly desirable, and your Commissioners are of opinion that accounts based upon the cash only are certainly not sufficient when the transactions reach such magnitude as they have done in the Cape Town Municipality and as they will do in the unified Municipality which is proposed. They would recommend therefore that statements should in future be prepared wherein the full amount of revenue accrued should be introduced and, so far as may be, such ordinary expenditure as has been incurred even though not paid, care being taken that both revenue and liabilities outstanding shall be reduced to a minimum and that such items shall be clearly shown in the Balance Sheets prepared. So far as the loan transactions are concerned, while holding the same views in regard to Assets and Liabilities, your Commissioners are of opinion that it is essential that proper Capital Accounts should be kept and due consideration given to depreciation in values as well as to the operation of the Sinking Fund for the extinction of the debt. Further, it is essential that the accounts should be so kept that the necessary information for Differential Rating shall be forthcoming. In the draft Bill they have suggested sections which they believe will accomplish the desired end.

154A. *Audit.*—That the audit has been often unsatisfactory is clearly shown, and your Commissioners are of opinion that even where competency is obtained the necessary independence can rarely be expected in persons elected by the Council or Ratepayers. In view of the magnitude of the transactions of the unified Municipality, your Commissioners would strongly urge that the final audit of the accounts of that body should be entrusted to the Controller and Auditor-General. They would indeed prefer to see such audit extended to the other Municipalities in the Cape Peninsula; but the reasons for such extension would in no way differ from those which can be urged in regard to the Municipalities throughout the country. Your Commissioners would not therefore do further than call attention to the subject, leaving Simonstown, Kalk Bay, and Durbanville to be dealt with at the same time as the other Municipalities in the Colony.

155. *Valuation.*—Your Commissioners find that a very general feeling of dissatisfaction appears to exist among the ratepayers in regard to the present valuations. In some instances this appears to be solely due to the fact that the increase in the actual value has been followed by an increase in the official valuation and consequently an increased liability for rates. But the majority of witnesses dealing with this subject have been able to give far better grounds for complaint, and their objections may be classed under three headings, (*a*) The mode of appointing the valuator, (*b*) The basis of valuation, and (*c*) The constitution of the court of objections.

(*a*) *The mode of appointing the Valuator.*—Objections to the present mode of appointing the valuator are made on the ground that his service is called for by tender; although the lowest tenderer may not necessarily be accepted, the disposition to appoint a man whose tender is low, to the exclusion of a more competent man whose tender is higher, is held to be an undesirable feature. There seems to be a fair consensus of opinion that a permanent valuator should be appointed, but while some witnesses hold that he should be an official of the Council, the majority thought that he should be independent, although distinct provision should be made as to the lines upon which he should work. Some Councillors, however, regard it as preferable that different men should be appointed from time to time.

(*b*) *Basis of Valuation.*—There is much division of opinion among the witnesses as to what should constitute the basis of valuation. It is argued that the rent produced by house property would generally be a fair basis, and that any unreasonably high rent would justify a temporary increase in the valuation; but it is urged that the valuation of large properties occupied by the owners cannot be fairly made on the basis of probable rent. Further, it is urged that unoccupied land should be valued as for building purposes, if suitable for such, and farming properties should be taken on the basis of production. Particular objection is taken to the valuation of large properties on the basis of what they would produce if cut up into building lots. Then it is complained that the valuations are made without reference to the owners, that enquiries are not instituted as to the facts, although one of the most experienced valuators (Mr. G. H. Moller) asserts that he has spared no effort in this direction, as far as was practicable with the time at his disposal, but has not met with a willing response to his enquiries. Glaring inequalities moreover are alleged to exist between the valuations of neighbouring properties.

(*c*) *The Constitution of the Valuation Courts.*—The Courts as at present constituted excepting that for Cape Town have power to reduce valuations but not to increase them, nor can they deal with any properties other than those which are formally brought to their notice. Objection is raised on these two points and to the fact that the members of the Councils mainly constitute the courts. It is evidently felt that the Councils are too much interested in the increase of the valuation, both in regard to rates and to borrowing powers, to constitute an unbiassed court of appeal. It is urged that there should be an independent court composed of men of sufficient expert judgment who should have power to call evidence. It is suggested further by witnesses that the court should be presided over by a barrister and that inequality of treatment should receive particular attention. Some representatives of the Councils deem any such independent court objectionable, holding that the Councils having large spending powers with great responsibilities are entitled to a voice in the matter.

156. It is clearly undesirable that there should be separate valuations for Municipal and Divisional Council purposes; such has been the case in the past and has caused unnecessary expense and inconsistent results. Valuations of property are also required for the Master of the Supreme Court in connection with the probate of wills, division of estates, &c., and it is a question worthy of consideration whether one valuation could not be made to serve for all these purposes.

157. Your Commissioners feel that there is much weight in these objections, and that a really satisfactory solution of the difficulties would probably lie somewhat beyond the scope of their enquiry. A counsel of perfection would in their opinion be, that a Government Department should, working in conjunction with the Surveyor-General and Registrar of Deeds, be made responsible for an annual valuation throughout the Colony carried out by approved officers, : this valuation would, with the other records of those departments, gradually constitute a Domesday Book taking stock of all land and owners, whether in fee simple, quitrent, or otherwise, in both town and country. But in the meantime your Commissioners would recommend:—

That a permanent valuator should be appointed and paid by salary by the Council, and who may not be discharged except with the sanction of the Minister. This official should be provided with such assistance

as may be necessary, and should devote his whole time to the duties of his office, and should keep himself acquainted with market values.

That every owner (or his agent) of property liable to be rated shall be required to furnish to the Valuator, annually at such time as may be decided by the Council, a statement signed by him, giving the actual cost to him of the ground and buildings thereon, including the cost of all additions and alterations thereto; the use to which the property is put, the rental or other revenue derived from it, and what, in his opinion, is its fair market value.

That the Valuator should base his valuation of a property on the information contained in this statement, but also having due regard to its market value at voluntary sale, unless the rental derived from such property shall represent on a basis of 10 % a greater value than the probable market value, in which case such greater value shall be taken as being the valuation.

That the Court for revising valuations shall consist of five persons, two of whom shall be Municipal Councillors appointed by the Council of the Municipality, and the remaining three, one of whom shall be a Barrister or Resident Magistrate, shall be appointed by the Governor; such Barrister or Resident Magistrate to be Chairman of the Court. This Court should have power to increase or reduce valuations, irrespective of whether any objection has been lodged to such valuation or not; and it should further be empowered to place objectors appearing before it on oath and take evidence on oath. The decision of this Court should be final.

PART II.

THE DIVISIONAL COUNCIL.

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158. The matters which have to be considered in this part of your Commissioners' Report are set forth in their instructions as follows:—

(*a*) The advisability of abolishing the Cape Divisional Council and handing over the duties, at present performed by them, to the existing Municipalities or amalgamated Municipalities in Municipal areas.

(*b*) How and by whom the duties at present performed by the Cape Divisional Council should be performed outside Municipal areas if the Cape Divisional Council is abolished.

159. The whole area of the Cape Division occupies 665 square miles. The portion of this area which will be included within the boundaries of the unified Municipality, as recommended already in this Report, will be approximately thirty square miles. As far as this area and the area of Camps Bay are concerned, the creation of the unified Council will provide all necessary machinery for local government. Other Municipalities—namely: Kalk Bay, Simonstown and Durbanville—will continue to make provision for carrying on the work of local government within their boundaries, *i.e.*:

within a further area of some twenty-five square miles. Outside of those urban areas covering in all some 55 square miles, there will still be, within the Cape Division, rather more than 600 square miles of country, occupied by a population already numbering 41,430 and rapidly increasing, in respect of which some form of local government must continue to be provided. The only provisions in this behalf existing at the present time are those which appertain to the Divisional Council of the Cape as constituted by the Divisional Council Act of 1889. Your Commissioners have to report upon the adequacy or otherwise of those provisions.

160. The Cape Division is dealt with in an exceptional manner by the Divisional Council Act of 1889. That Act provided for the creation of nine Districts in the Cape Division: one of which, known as District No. 9, was specially designated in the Act as "The Cape Town and Sea Point District," and was formed entirely by those Municipalities. The eight other Districts of the Cape Division were defined by Proclamation 28 of 1890 as follows:—

District No. 1—comprises the Field Cornetcies of Papendorp (Woodstock) (in which is Camps Bay) and Liesbeek River.

District No. 2—comprises Rondebosch.

District No. 3—comprises Newlands (in which is Claremont).

District No. 4—comprises Wynberg, Constantia and Downs No. 1.

District No. 5—comprises Palen en Rietvlei, Tygerberg, Kuils River and Downs No. 2.

District No. 6—comprises Koeberg No. 1, Koeberg No. 2, Blaauwberg and Durban.

District No. 7—comprises Kalk Bay, Noordhoek, Elsjes River.

District No. 8—comprises Simonstown No. 1 and 2, Wildschutsbrand.

161. Manifestly, much of this scheme of subdivision is quite conventional. It may have been suitable twelve years ago, but it can scarcely be said to be appropriate at the present time. For instance, five of the Districts are assigned to the comparatively small area surrounding Table Mountain. Again, the boundaries of Districts 1, 2, 3, 4, are the boundaries many years since assigned to Field-cornetcies, and, as such, have not only quite lost all significance, but tend rather to cause confusion, inasmuch as in more than one case, the same name is given to a Suburban Municipality and to a District in the Cape Division, though the areas are not identical. In this way Rondebosch as a Municipality and Rondebosch as a 'District' of the Division are dissimilar areas, each having its own rateable value.

162. Further, if Divisional Councils were created with the view of providing an elective local authority for maintaining roads or for other purposes in rural localities, it was to have been expected that in the scheme of subdivision into Districts for the election of the members of the Council regard would have been had to the advisability of securing an adequate representation of rural interests. It cannot be said that from this point of view the scheme of subdivision into these Districts for the election of Councillors is an ideal one. The seats in the Council are so distributed that twelve out of the fourteen must always be filled by members elected by the voters in Municipalities. These twelve include the six members allocated by the Act to District No 9, the Cape Town and Sea Point District, and the six members who are elected by the voters in Districts 1, 2, 3, 4, 7 and 8 respectively. At the time when your Commissioners were taking evidence (April, 1902) there was only one member of the Divisional Council of the Cape who properly could have been considered a rural representative. This member appeared as a witness for the Divisional Council and informed your

Starke.
20:9—23.

Commissioners that it is mostly townsmen who are elected to the Council. "I think," he said, "I am the only one residing outside the Municipalities. Mr. Langerman represents the other rural District: he lives at Sea Point, but owns property outside, and represents one portion." Asked how it came about that there were so few Councillors from the rural localities, this witness said: "Because, I suppose, the suburban population outvotes them. It would be useless for an outside man to stand for those Districts, as he would have no chance whatever in the suburbs." It appears that such a *personnel* as this is more often the rule than not in the Cape Divisional Council.

163. That the members of a Divisional Council so constituted should not be much interested in the maintenance of country roads, and that the Council itself should not retain the confidence of those who make the most use of those roads is not surprising. Witnesses appeared before your Commissioners who spoke generally of the lack of supervision over the road gangs of the Council. One witness said, "They (the Divisional Council) have no sufficient white supervision over their coloured labourers. I have often seen the men lolling about and discussing things in the street with people who passed by." Another witness said, "A coloured man generally supervises, who stands and loiters about. There seems to be no supervision under which the labourers are forced to do a good day's work." Another source of dissatisfaction has been the dual control of streets within Municipalities, already referred to by your Commissioners in paragraphs 129 to 131. Further, much evidence was given in support of the opinion that the incidence of the Divisional rate affects the ratepayer inside the Municipalities more heavily than the ratepayer outside, *vide* paragraph 129. And once more, the Cape Divisional Council, while it is the only local body invested with any power whatever to deal with matters in the rural districts, finds itself unable, owing to the absence of legal power, to exercise control in cases which are constantly arising in those districts, and which affect the interests and well-being of the inhabitants. This powerlessness of the Divisional Council is made most apparent in the evidence of the Secretary.

Cloete. — 9710.

F. B. Moore. — 10378-89.

Louw. — 1857-8

Van der Westhuizen — 3216-42

164. From a report supplied to your Commissioners by the Secretary to the Cape Divisional Council, it would appear that dissatisfaction with the incidence of the Divisional Rate began to find expression in February, 1899, when a conference of Municipal delegates was held at Claremont, at which the following resolution was unanimously agreed to, viz.:—

> "That it is in our opinion desirable and necessary that measures be "adopted for conferring upon the Municipal authorities of Cape Town, "Woodstock, Maitland, Durbanville, Mowbray, Rondebosch, Claremont, "Wynberg, Kalk Bay, Simonstown, Green and Sea Point, all the "powers and duties in regard to roads at present existing and situate "within the respective Municipal areas and vested in the Divisional "Council of the Cape, provided the various Municipalities are willing "to contribute their *pro rata* share according to the Municipal rateable "value of their properties towards the upkeep of roads outside Municipal "areas, subject to special consideration being given to Kalk Bay, "Simonstown, Maitland and Durbanville."

No action appears to have followed immediately upon that resolution. But, towards the end of the year 1901, dissatisfaction recurred in a somewhat acute form. In the opinion of your Commissioners this dissatisfaction may be traced to the rapid growth in the Divisional Council valuation of properties inside the several Municipalities during the five years ending 1901, and to the corresponding increase in the amount levied as Divisional rates on those properties in the same period. The values and extent of their growth will be seen by referring to the abstract prepared by your Commissioners and given in the following Table:—

TABLE XV.—Shewing the progressive increase in Rateable Values according to Divisional Council Valuations of properties inside the Municipalities, and outside the Municipalities, from 1897 to 1902 inclusive :—

	1897.	1898.	1899.	1900.	1901.	1902.
	£	£	£	£	£	£
Cape Town	3,711,465	4,517,075	5,253,451	5,938,170	8,704,690	8,704,690
Green and Sea Point ..	533,411	704,006	821,011	891,709	1,138,675	1,138,675
Woodstock	300,885	397,385	523,525	602,615	1,432,800	1,479,300
Maitland	36,166	52,983	82,757	106,889	127,200	127,200
Mowbray	304,365	494,957	656,896	749,427	733,875	402,000
Rondebosch	600,100	680,340	714,190	750,705	840,530	1,068,560
Claremont	693,770	998,155	1,079 956	1,172,566	1,171 785	1,325,630
Wynberg	535,175	639,563	749 965	828 624	1,081,190	1,881,890
	6,915,267	8,484,464	9,911,750	11,040,705	15 230,745	15,277,945
Kalk Bay	139,360	176,016	208,580	215,795	355,376	355,376
Simonstown	96,916	108,076	120,161	128,351	197,375	197,375
	236,276	284,092	328,741	344,146	552,751	552,751
Total Intra-Urban Valuation	7,151,543	8,768,556	10,240,491	11,384,851	15,783,496	15,702,796
Total Extra-Urban Valuation	486,265	513,783	548,635	580,476	981,227	1,061,927
Total Valuation ..	7,637 808	9,284,339	10 789,126	11,965,327	16,764,723	16,764,723

165. Conferences of Municipal and Divisional Council delegates were again arranged. They met in Cape Town in December, 1901, and January, 1902. The resolution of February, 1899, was then re-affirmed, and matters were advanced a stage by the adoption of sundry resolutions dealing with proposals for organic changes in the Divisional Council itself. The delegates however had no power to conclude a binding agreement, and all resolutions adopted had to be referred back to their respective Councils for consideration. Certain of the Municipal Councils accepted the resolutions as they came to them from the Conference; others accepted the resolutions in part or with modifications. The natural result of this disagreement was inaction as far as the Municipalities were concerned. But, on the 10th April, 1902, at a special meeting called to consider "the resolutions that have been arrived at by the Conference of the various Municipalities and Divisional Council delegates with regard to the maintenance of public roads," the Cape Divisional Council, after considerable discussion, passed the following resolution, which was forwarded to your Commissioners through the Minister :— *Appendix F.*

> "That in the opinion of this Council the time has arrived for the "abolition of the Divisional Council. And further, this Council "recommends to the Government that the scope of the Cape Peninsula "Commission be extended to inquiring into the advisability of the pro-"posed County Council taking over the control of all roads within the "Cape Division; also having regard to the rapid extension of buildings "outside Municipal areas, that proper sanitary control be exercised over "such rural areas."

166. It seems to have been in the minds of the members of the Divisional Council when they adopted the foregoing resolution, that, for the purpose of administering local government in the Cape Division, a single Council or public body of some sort was all that was necessary. The members agreed

amongst themselves that the Divisional Council to which they had been elected had outlived its usefulness, and that the time had come for it to make way for some other form of administrative body—such as a County Council —which was to have general jurisdiction in all urban and rural localities alike throughout the Division. Your Commissioners, while agreeing in the opinion that the time has arrived for the abolition of the Divisional Council, are not prepared to make a recommendation in terms of the foregoing Resolution. They are unable to persuade themselves that any one administrative body or Council chosen by the people of the Cape Division can undertake such wide and general duties. They believe that it is impracticable to control so extensive and diversified an area as the Cape Division by any form of Municipal Council such as exists in this country, whether that control is to be by a single Municipal Council, or by a number of Municipal Councils, to each of which an unknown extent of rural area is to be assigned. On the other hand, as the Divisional Council in the foregoing resolution make specific mention of a *proposed County Council*, your Commissioners have to say that in their opinion the range of duties assigned to County Councils in England, the powers entrusted to those Councils, and the circumstances under which they were created, make their introduction into the Cape Division quite irrelevant, if not impossible at the present time.

167. Within the unified Municipality, the requirements of local Government will be entirely provided for, and within the Municipalities of Kalk Bay, Simonstown, and Durbanville, those requirements will also be provided for except in so far as the upkeep of the highways within their limits is concerned ; and what appears to your Commissioners to be needed to supplement these provisions is some form of Rural Authority for those localities within the Division which lie outside of the Municipalities. Such a Rural Council, in addition to being empowered to do all such things as the Divisional Council is now empowered to do, should have powers similar to, but not so extensive or as far reaching as those of an urban authority under the Public Health Acts. The need of an Authority to enforce the provisions of those Acts has been most forcibly brought to the notice of your Commissioners, particularly with reference to such insanitary conditions as exist beyond the boundary of Maitland, at the Rondebosch Extension in the locality known as Downs No. 1., at Constantia, and at Prineess Vley, and elsewhere. Indeed, with special reference to Princess Vley and to the proposal of the Wynberg Town Council to discharge therein the effluent from their Sewage Works, it would have been the duty of the Rural Council as such authority to have stepped in and to have prohibited the Wynberg Town Council from doing anything likely to create a nuisance or a danger to health.

Hall.
—
11170-11218.
Earp & Andrews.
—
8930-61.
Moore.
—
1-341-6.
Volmer.
—
8778-30.

168. There are yet other powers which in the opinion of your Commissioners should be vested in the Rural Council. It should be able to deal with Contagious Diseases of Animals more thoroughly than the Divisional Council can now deal therewith, and it should also be empowered to take measures for the suppression of insect pests, for the eradication of noxious vegetation, for the prevention of bush fires and for dealing with storm water ; and, generally, it should be the local authority for doing all such things in the public interest of the inhabitants of the Rural areas as the Council may from time to time deem expedient in terms of the Act by which it will be constituted. Further, your Commissioners are of opinion that the powers and duties which would be assigned to the Rural Council should obviate all necessity for creating Village Management Boards within the Cape Division. As the Rural Council would have general control of local matters in all areas outside of Municipalities, and, as by virtue of the proposed powers it should be a strong authority ensuring uniformity of practice where that is desirable, no other form of local government will be necessary in any locality within the Division until such conditions arise therein as call for the granting of a Municipal constitution.

169. Your Commissioners are of opinion that the Cape Rural Council should be entirely an elective body, and that the qualification of members and of voters should be the same as the qualifications of members and voters for the existing Divisional Council. The Rural Council should elect its own Chairman.

170. Your Commissioners are of opinion that the number of members of the Rural Council should be the same as that of the elective members of the existing Divisional Council, namely, fourteen. They would suggest that the unified Municipality should return four members, who should be chosen by the Council of the Municipality. Your Commissioners recommend this indirect method of choosing the representatives of the unified Municipality because of their previous recommendation that the unified Council should yearly contribute a lump sum to the revenue of the Rural Council. As far as the Municipalities of Kalk Bay, Simonstown, and Durbanville are concerned, this indirect method of election should not be followed. It is advisable that those Municipalities should not contribute in the form of a lump sum to the Rural Council's revenue, but rather that a rate should be levied, as is more fully shown in paragraphs 175 and 176. It would follow from this that the ratepayers in those Municipalities should elect their Rural Council members direct. But with further reference to the subdivision of the Rural areas into Districts or Wards for the purpose of electing Rural Councillors, your Commissioners are of opinion that this should hereafter be done by Proclamation by the Governor after due local enquiry, such as cannot be made by your Commissioners.

171. The Rural Council should of necessity appoint a Medical Officer of Health, one or more Sanitary Inspectors, Veterinary Inspectors, and Road Inspectors. In addition to these Officers, the Council should be empowered to appoint such other Officers as may from time to time be deemed expedient and as the Minister may approve.

172. As the executive authority under the Public Health Amendment Act 23 of 1897, the Rural Council should be charged with the duty of making and enforcing such Regulations as are contemplated by Section 7, as well as Regulations for the purposes set forth in Subsection 3 of Section 9 of that Act. In the framing of such regulations the Council should have regard to the circumstances of the area in which the regulations would be operative; but your Commissioners are of opinion that the duty of making and enforcing such well-considered regulations as that Section contemplates ought to be laid upon the Council, and that, if the Council is in default in this respect, power should be given to the Governor in terms of Sections 7 and 8 of the said Act. The Rural Council should also be empowered to frame regulations for the remaining purposes set forth in Section 9 of the said Act, together with the other Sections consequent thereon. It should also *mutatis mutandis* have all the rights and powers at present exercised by the Divisional Council under Acts 4 of 1883, 40 of 1889, 15 of 1892, and 23 of 1897.

173. As the executive authority for the Contagious Diseases (Animals) Act, the Rural Council should be empowered from time to time to make, alter, revoke and enforce regulations for the isolation, inoculation and slaughter or for otherwise dealing with animals found to be affected with contagious diseases. And as the properly constituted body for the general advancement of rural interests, the Council should be further empowered to adopt such measures as may be deemed expedient, and as the Minister may approve, for preventing the introduction and for the repression of insect pests, for the eradication of noxious vegetation and for the prevention of destructive bush fires.

174. Your Commissioners find that there is a considerable body of evidence in favour of having a vehicle or wheel tax within the Cape Division, and they are disposed to think that this method of raising revenue should be given a trial. It would seem that vehicles are run on the roads by many persons who cannot be reached by an ordinary Rate, and the abolition of tolls has made matters still more easy for such persons. Precedents for this form of taxation are to be found within the Colony; but only in Municipalities. In the Cape Division the general ratepayer has a special claim to consideration owing to the growing use of the roads for heavy traffic. In the opinion of your Commissioners this taxation should take the form of an annual license fee for each vehicle, the fee for the license to be graded according to the particular kind of vehicle to be licensed. The license fees should be regulated by bye-laws framed by the Rural Council and approved by the Governor, this fee being only payable in respect of vehicles owned in the District of the Council. Special provisions should be made applicable to such vehicles as traction engines and trailers intended both for town and rural traffic.

175. In paragraphs 129 to 131 your Commissioners recommended that, for some time to come, two thirds of the expenditure required for the construction and upkeep of the main and divisional roads outside of the unified Municipality should be contributed by the unified Council, provided such contribution should not exceed £10,000 in one year. The remaining third of the required expenditure would then be raised by a road rate on properties outside of the unified Municipality. But for the purpose of the making of this rate within the Municipalities of Kalk Bay, Simonstown and Durbanville, the ordinary valuations of properties made for those Municipalities should be accepted by the Rural Council.

176. Your Commissioners are of opinion that the time has not yet arrived when the Municipal Councils of Kalk Bay, Simonstown and Durbanville can with advantage take over the upkeep of the main and divisional roads passing through their areas. It is to be observed that such witnesses as are in favour of such taking over make the proviso that a subsidy should be payable by the Road Authority to those Municipalities in aid of the construction and maintenance of these roads within their areas. Your Commissioners believe that this proposal would prove a source of friction between the Rural Council and the Municipal Councils, which it is better to avoid. But while of this opinion, your Commissioners would recommend that the Rural Council and the Municipal Councils of Kalk Bay, Simonstown and Durbanville should be empowered to enter into agreements by which any of those Municipal Councils could undertake the maintenance and control of any portion of any main or divisional road within their limits, receiving from the Rural Council an adequate contribution in that behalf.

177. Your Commissioners recommend that the accounts of the Rural Council should be kept so as to show the Council's expenditure on the construction and upkeep of main and divisional roads separated from its expenditure as the executive authority under the Public Health Acts, or in pursuance of the other powers entrusted to it. "Expenditure on Roads" naturally would include the salaries of road inspectors and a reasonable proportion of the cost of the Rural Council's establishment. Expenditure incurred by the Rural Council in the administration of the Public Health Acts or in connection with its other powers as a local authority would have to be met by a Sanitary Rate or by such other rate as may be provided for in the Act under which the Rural Council will be constituted. Such rate naturally ought to be levied only on property in the Rural area outside the limits of any Municipality.

178. Your Commissioners recommend that, in the matter of allowances for attending Meetings and for performing any other duties, the members of the Rural Council should be placed on practically the same footing as members of the Divisional Council in terms of Act 40 of 1889.

SUMMARY OF RECOMMENDATIONS.

179. Your Commissioners beg now to submit the following summary of recommendations in Part I and Part II of their Report as follows:—

Part I.

1. That an increased supply of water should be obtained for the use of all the inhabitants of the Cape Peninsula.
2. That for the Municipalities of Cape Town, Sea Point, Woodstock, Maitland, Mowbray, Rondebosch, Claremont and Wynberg, and also for the inhabitants of Camps Bay, such increased supply of water should be equal to at least ten million gallons per day, with capabilities for prospective increase thereof.
3. That the Kalk Bay storage facilities should forthwith be increased so as to provide for ten thousand gallons per day to Simonstown, with capabilities for prospective increase thereof.
4. That the supply referred to in Recommendation 2 should be drawn from a catchment area of the head waters of one or other of the following rivers:—the Palmiet River, the Berg River or the Steenbras River; which catchment area should not be distant more than about fifty miles from Cape Town.
5. That storage capacity of about two thousand million gallons should be provided in connection with such catchment area, and that the daily supply referred to in Recommendation 2 should be delivered by pipes into such service reservoirs within the limits of supply as may be determined after due enquiry.
6. That the local Authority should be empowered to raise one and a half million pounds sterling or such sum as may be estimated as necessary for the purpose of providing such water supply.
7. That for the purpose of collecting, storing, and bringing in such water supply and for draining and sewering the Southern suburbs and generally for doing all such things as Municipalities may do, the eight Municipalities of Cape Town, Sea Point, Woodstock, Maitland, Mowbray, Rondebosch, Claremont and Wynberg, should be unified into one Municipality empowered by law as required.
8. That those eight Municipalities, when unified, should become Rating Districts of the one Municipality.
9. That those eight Rating Districts should be sub-divided into nineteen Wards for the election of Councillors and for other purposes.
10. That the Council of the Unified Municipality should consist of sixty members, allocated to the Wards as recommended in the Report (*vide* Paragraph 106).
11. That each Rating District should have its District Committee.
12. That the Council of the Unified Municipality should cause a survey to be made of the whole area from Wynberg to Salt River estuary with a view as far as possible to discharging the drainage and sewage of that whole area into Table Bay.
13. That the sewage of that area should be suitably treated in sewage works at sites to be determined by the Council after due enquiry, the effluents only to be discharged into Table Bay, or elsewhere.
14. That the Council of the Unified Municipality should be empowered to raise, with the approval of the Government after due enquiry, such sums as may be required for the cost of such drainage and sewerage, and sewage works.

15. That the Council of the Unified Municipality should be empowered to supply Public and Private Lighting by electricity and by gas within the Municipality.
16. That the construction and control of all roads and streets within the Unified Municipality should be vested in the Council thereof.
17. That it should be made obligatory upon the said Council to provide a sum equal to two-thirds of the cost of upkeep of main and divisional roads within the Cape Division and outside of the Unified Municipality, provided such two-thirds shall not exceed £10,000 per year.
18. That the Council should control the distribution of water throughout the Municipality, and, as soon as the new supply is available, should make a uniform charge (or rate) therefor.
19. That nevertheless, until the new supply be provided, each water-supply system should be administered by the Council in the interests of the consumers within the present area of supply of such system.
20. That when the new supply is available, all supplies, new and old, should be "pooled," the actual cost of each system being taken over by and becoming a liability of the Unified Municipality (*Vide* paragraph 112).
21. That Camps Bay should be included in the Unified Municipality as a Rating District of one Ward.
22. That Rondebosch Church Lands should be vested in the Municipality on terms to be settled by arbitration. (*Vide* paragraph 136).
23. That the assets and liabilities, excluding water (*Vide* Recommendation 19) of the eight Metropolitan Municipalities should become the assets and liabilities of the Unified Municipality.
24. That the Council should be empowered to levy general rates throughout the Municipality as well as particular rates for any rating District as required (*Vide* paragraph 141).
25. That the Dock area should be sewered as soon as possible.
26. That a final audit of the accounts of the proposed Unified Municipality should be entrusted to the Controller and Auditor-General.
27. And further, the recommendations with regard to Valuations as fully set forth on pages 63-65 of the Report.

Part II.

1. That the Cape Divisional Council should cease to exist.
2. That a Rural Council should be created, having jurisdiction as a Road authority within the Cape Division and outside the limits of the Unified Municipality and being the local authority under the Public Health Acts, as well as an authority to deal with contagious diseases of animals, insect pests, noxious vegetation and vermin, &c., and to take measures for the prevention of bush fires in the said Division outside the limits of all Municipalities.
3. That within the area controlled by the Rural Council, no Village Management Board should hereafter be proclaimed; but that populous localities within such area should remain under the control of the Rural Council until Municipal institutions are granted.
4. That the Rural Council should consist of fourteen members, ten to be chosen by voters in Rural Council Districts, and four to be selected by the Council of the Unified Municipality; the Council to elect its own Chairman.
5. That the qualification of members and voters be the same as those of members and voters for the present Divisional Council.

6. That the Rural Council should appoint of necessity one or more Medical Officers of Health, Sanitary Inspectors, Veterinary Inspectors, and Road Inspectors, and should be empowered to appoint such other Officers as may be necessary.
7. That as the executive authority for the Public Health Acts, the Contagious Diseases of Animals Act, for preventing insect pests, eradicating noxious vegetation and vermin, for preventing bush fires and for general purposes, the Rural Council should be empowered by the creating Act to frame and enforce the necessary regulations.
8. That as Road Authority, the Rural Council should be empowered to frame regulations for levying a vehicle or wheel tax.
9. That as Road Authority, the Rural Council should be empowered to levy a rate on all property in the Cape Division, outside of the Unified Municipality.
10. That the Rural Council should accept the valuations of property inside the other Municipalities in the Cape Division made for the Municipal Councils thereof and should be empowered to enter into agreements with those Municipal Councils, as to the control of sections of roads within their respective limits.
11. That all expenditure, other than that on roads, including the reasonable share of the cost of establishment which would be chargeable to roads, should be raised by rates on extra-Municipal property exclusively.
12. That allowances to members should be similar to those now made to members of the present Divisional Council.

180. In conclusion, your Commissioners accompany this Report and its Annexures, with the Minutes of Proceedings, the Minutes of Evidence, and various other documents relating to its extended enquiry; all of which are now submitted for your Excellency's consideration.

And we respectfully subscribe ourselves,

Your Excellency's obedient Servants,

WM. BISSET BERRY, Chairman.
JAMES LAWRENCE.
T. N. DYER, J.P.
THOMAS STEWART.
WALTER E. GURNEY.
ALFRED JASPER ANDERSON.
J. E. REENEN DE VILLIERS.

Dr. GREGORY dissents from this Report, and is preparing a Minority Report, which will be duly forwarded.

MARK GARRETT,
Secretary.

Office of the
Cape Peninsula Commission,
28th January, 1903.

LIST OF APPENDICES TO REPORT.

Appendix A.—Abstracts of Municipal Ordinary Receipts and Payments for the Five Years ended the 31st December, 1901.

Appendix B.—Return of Water Consumed by Table Bay Harbour Board during the Five Years ended the 31st December, 1901.

Appendix C.—Report by Mr. Thomas Stewart, M.I.C.E., on the Steenbras River Water Supply Scheme.

Appendix D.—Return of Water Consumed by Natives in the Harbour Board Location during the Five Months November, 1901, to March, 1902.

Appendix E.—Statement of Assets and Liabilities of Cape Divisional Council as on the 31st December, 1901.

Appendix F.—Correspondence relative to the Proposed Abolition of the Cape Divisional Council.

Appendix G.—Correspondence relative to the Simonstown Storage reservoir.

Appendix H.—Table Mountain Rainfall and Evaporation Statistics, with rough plan showing Raingauge Stations.

Appendix I.—Correspondence relative to "*Ulva Latissima* as a Foreshore Nuisance" and "Water Discoloration by Palmiet."

Appendix J.—Notes by Engineer of Public Works Department on sources of Water Supply.

Appendix K.—Correspondence on Surveys of sources of Water Supply.

Appendix L.—Statements of Municipal Loans Raised, Repaid, and Outstanding on the 31st December, 1901.

Appendix M —Draft Bill to provide for the Unification of the Metropolitan Municipalities of the Cape Peninsula.

Appendix N.—Draft Bill to abolish the Divisional Council of the Cape Division, and to provide for the requirements of Local Government in certain parts of the Fiscal Division of the Cape by the creation of a Rural Council.

APPENDIX A.

ABSTRACTS

OF

Municipal Ordinary Receipts and Payments

FOR THE

Five Years ended the 31st December, 1901.

Green and Sea Point Municipality	A (1)
Cape Town Municipality	A (2)
Woodstock ,, ...	A (3)
The Village Management Board of Maitland ..	A (4)
Mowbray Municipality	A (5)
Rondebosch ,, (as originally rendered) ...	A (6)
,, ,, (as subsequently amended) ...	A (7)
Claremont ,, ...	A (8)
Wynberg ,, ...	A (9)
Kalk Bay ,, ...	A (10)
Simon's Town ,, ...	A (11)
Divisional Council of the Cape	A (12)
Summary—Cape Peninsula Municipalities, the Divisional Council, and the Suburban Municipal Waterworks	A (13
Summary—Cape Peninsula Municipalities (exclusive Water Supply and Electric Lighting) ...	A (14)

Green Point and Sea Point Municipality. A

Abstract of Ordinary Receipts and Payments for

Receipts.	1897.	1898.	1899.	1900.	1901.	Totals.
Ordinary.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d	£ s. d.
Opening Balance	..	2,354 1 3	1,225 10 2	821 8 3	822 9 9	..
Rates	4,220 3 6	11,052 7 5	8,999 0 3	9,270 18 6	13,346 12 4	46,889 2 0
Dog Tax	139 10 0	106 0 0	139 10 0	143 5 0	136 10 0	664 15 0
Beach Account	41 14 6	62 4 0	59 17 0	5 13 0	7 16 0	177 4 6
Judicial Fines	26 13 6	62 6 0	60 2 0	80 11 0	110 10 0	340 2 6
Pound Sales	1 14 9	29 17 7	26 5 7	30 11 9	16 9 10	104 19 6
Sanitary	203 10 6	401 14 0	311 15 3	223 13 9	74 0 0	1,214 13 6
Hall Revenue	47 14 0	129 15 0	103 5 0	106 0 0	113 4 6	499 18 6
Sale of Voters' Roll	..	..	2 2 0	1 11 6	1 0 0	4 13 6
Sale of Building Regulations ..	..	..	2 1 0	..	..	2 1 0
Sale of Stable Manure	..	..	0 12 0	..	..	0 12 0
Contribution from Government—Plague	..	..	..	..	903 1 10	903 1 10
Refund from Government (Trees) ..	244 15 7	..	60 7 4	..	..	305 2 11
Contribution from Cape Divisional Council	500 0 0	500 0 0	500 0 0	..	500 0 0	2,000 0 0
Tramway Mileage	132 8 4	233 6 8	233 6 8	233 6 8	233 6 8	1,065 15 0
Contributions for Lamps	..	12 5 0	10 10 0	..	..	22 15 0
Contributions to Footways and Asphalting	17 7 11	..	..	40 0 0	..	57 7 11
Contribution to Trafalgar Square ..	..	..	23 18 4	..	..	23 18 4
Drainage Account: Half-year's Interest	..	..	821 5 0	..	..	821 5 0
Contribution from Government—Royal Visit..	..	..	..	..	681 12 4	681 12 4
Expenditure repaid by Loan Account	..	..	..	2,436 4 2	..	2,436 4 2
Refund, Drainage	13 4 0	..	..	..	..	13 4 0
Do., Waterworks	65 2 6	..	..	..	..	65 2 6
Horses sold	..	11 19 0	21 14 0	..	..	33 13 0
Water (old account)	..	..	4 10 0	..	..	4 10 0
Lighting	..	..	..	10 10 0	..	10 10 0
Cycle Path Subscriptions	..	64 19 0	4 4 0	..	..	69 3 0
Bridge, Wesleyan Church.. ..	..	..	3 0 0	..	..	3 0 0
Contributions for Improvements, Kloof Rd.	..	..	..	750 0 0	..	750 0 0
Do., Pine Road.. ..	..	..	..	10 0 0	..	10 0 0
Do., Gorleston Road ..	..	..	..	10 0 0	..	10 0 0
Main Drainage—Pipes, &c. ..	..	..	35 0 0	..	..	35 0 0
High Level Road	..	..	..	..	3 0 0	3 0 0
Stormwater Drains	..	..	..	5 0 0	..	5 0 0
Ladies' Jubilee Committee ..	..	133 14 0	16 1 4	..	..	149 15 4
Soldiers' Comfort Fund	..	..	..	..	45 16 6	45 16 6
Ground Rent	..	3 0 0	..	..	..	3 0 0
Miscellaneous	69 18 2	10 9 8	..	44 12 11	33 7 5	158 8 2
Total Ordinary Receipts ..	5,723 17 3	12,813 17 4	11,438 6 9	13,401 18 3	16,206 7 5	59,584 7 0
Temporary Loan	4,000 0 0	..	..	..	..	4,000 0 0
Temporary Loan from Drainage ..	..	3,537 11 10	..	..	..	3,537 11 10
Drainage Suspense	..	..	..	363 16 0	..	363 16 0
Total of all Receipts ..	9,723 17 3	16,351 9 2	11,438 6 9	13,765 14 3	16,206 7 5	67,485 14 10
Closing Overdrawn Balance ..	..	..	..	..	3,916 8 1	3,916 8 1
Grand Totals .. £	9,723 17 3	18,705 10 5	12,663 16 11	14,587 2 6	20,945 5 3	71,402 2 11

(1) APPENDIX A.

the Five Years ended the 31st December, 1901.

Payments.	1897.	1898.	1899.	1900.	1901.	Totals.
Ordinary.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Opening Overdrawn Balance ..	397 3 8	..	..	..	..	397 3 8
Salaries	423 7 10	735 11 8	895 3 4	1,351 10 11	1,944 12 0	5,350 5 9
Wages	1,704 19 3	808 11 0	..	..	..	2,513 10 3
Health Officer	25 0 0	25 0 0	..	69 16 4	..	119 16 4
Clerical Assistance	17 1 6	..	85 10 0	99 10 6	..	202 1 6
Pensions	150 0 0	150 0 0	150 0 0	75 0 0	..	525 0 0
Interest	378 9 6	1,472 18 4	2,420 4 6	2,657 7 8	3,273 8 6	10,202 8 6
Office Expenses	..	71 6 0	38 7 11	32 15 4	57 8 9	199 18 0
Tram Tickets	..	7 6 9	45 6 9	54 13 0	36 7 9	143 14 3
Advertising	105 5 0	93 6 2	48 8 6	67 2 8	137 14 6	451 16 10
Stationery and Printing	35 10 7	85 14 3	56 4 9	116 15 7	190 8 1	484 13 3
Legal Charges	49 9 3	127 5 5	6 15 1	103 11 3	95 14 5	382 15 5
Collecting Expenses	36 11 8	29 5 0	35 1 3	24 0 4	24 2 0	149 0 3
Auditors' Fees	27 7 0	15 10 0	..	35 0 0	.	77 17 0
Valuation Expenses . ..	112 0 0	..	..	146 18 3	29 3 4	288 1 7
Election Expenses	..	..	..	26 11 3	11 7 3	37 18 6
Police	296 3 1	955 2 1	670 3 1	932 4 1	1,535 15 1	4,389 7 5
Lighting	557 6 3	595 12 10	649 16 8	682 6 9	713 17 4	3,198 19 10
Scavenging	..	203 7 11	353 14 8	1,949 0 6	4,071 3 11	6,575 7 0
Sanitary	322 11 8	627 10 5	658 1 4	380 17 1	..	1,989 0 6
Hall Expenses	46 16 2	709 19 0	92 11 0	169 10 2	173 18 9	1,192 15 1
Voters' Roll	..	..	..	26 0 0	18 2 11	44 2 11
Beach Account	..	120 6 9	137 17 9	32 1 0	32 15 10	323 1 4
Pound Refunds	5 10 0	2 11 6	9 15 4	8 4 8	2 10 6	28 12 0
Street Watering	7 16 9	47 1 0	55 9 8	105 4 10	289 2 9	504 15 0
Flushing, and Water for do. ..	4 10 0	..	..	300 2 9	317 4 9	621 17 6
Refuse Tip	..	..	..	..	262 15 10	262 15 10
Stable Expenses	36 0 0	239 0 6	309 15 1	259 8 1	323 3 4	1,167 7 0
Stable Buildings	..	..	246 15 9	197 5 1	174 7 1	618 7 11
Forage	381 1 0	270 5 1	381 8 2	..	..	1,032 14 3
Plant	64 0 0	217 0 0	1,014 4 0	583 19 8	911 5 1	2,790 8 9
Road Maintenance and Improvements	895 17 1	563 0 3	996 14 5	1,354 19 6	2,022 11 3	5,833 2 6
Main Road Repairs	..	..	737 16 5	718 10 5	161 2 5	1,617 9 3
Footways	..	419 1 10	124 17 1	631 5 7	457 2 10	1,632 7 4
Waterworks	25 17 6	1,312 1 2	568 4 9	244 0 2	68 6 2	2,218 9 9
Cycle Path	..	41 0 5	24 2 2	..	..	65 2 7
Trafalgar Square	..	..	23 18 4	..	..	23 18 4
Purchase of Ground, High Level Road	..	..	86 2 6	..	..	86 2 6
J. Milne—Ground for Road ..	225 0 0	..	..	..	..	225 0 0
Bridge, Wesleyan Church .	..	..	5 0 0	..	..	5 0 0
Repairs to Pumps	..	10 6 0	..	..	..	10 6 0
Stormwater Drains	..	..	218 4 10	..	..	218 4 10
Sundry Permanent Works and Repairs	217 4 1	76 1 9	..	..	298 9 11	591 15 9
Material (Macadam, &c.) .. .	264 1 6	29 19 5	29 0 0	19 10 0	324 12 0	667 2 11
Drinking Fountains	..	9 18 0	60 14 2	..	..	70 12 2
Trees	50 0 0	70 14 8	46 6 5	39 19 10	65 10 0	272 10 11
Contribution to Fire Brigade ..	50 0 0	50 0 0	66 0 0	..	..	166 0 0
Town Guard	..	..	..	..	104 14 2	104 14 2
Plague Account	..	..	..	..	1,169 14 8	1,169 14 8
Royal Visit	..	..	..	..	846 3 7	846 3 7
Soldiers' Comfort Fund	..	..	..	..	32 4 5	32 4 5
Ladies' Jubilee Committee ..	..	155 7 4	..	..	..	155 7 4
Green Point Park	100 0 0	..	..	..	..	100 0 0
Disinfectants	..	..	..	..	180 11 5	180 11 5
Purchase of Water Rights ..	..	..	17 10 10	..	..	17 10 10
Miscellaneous	357 15 8	97 5 11	51 8 4	173 12 10	113 2 5	793 5 2
Total Ordinary Payments ..	6,972 12 4	10,442 8 5	11,416 14 10	13,668 15 7	20,470 15 0	62,971 6 2
Loan Repaid	..	4,000 0 0	..	..	..	4,000 0 0
Temporary Loan from Drainage repaid	..	3,037 11 10	425 13 10	74 6 2	..	3,537 11 10
Drainage Suspense	..	..	..	..	253 16 9	253 16 9
Expenditure chargeable to Loan Account	..	..	..	21 11 0	220 13 6	242 4 6
Total of all Payments ..	6,972 12 4	17,480 0 3	11,842 8 8	13,764 12 9	20,945 5 3	71,004 19 3
Closing Balance	2,354 1 3	1,225 10 2	821 8 3	822 9 9	..	..
Grand Totals .. £	9,723 17 3	18,705 10 5	12,663 16 11	14,587 2 6	20,945 5 3	71,492 2 11

A

Cape Town Municipality.

Abstract of Ordinary Receipts and Payments for the

Receipts.	1897.	1898	1899.	1900.	1901.	Totals.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
General Works.						
Public Gardens and Tree Planting	1,478 17 0	487 0 2	983 0 0	1,193 12 3	409 14 2	4,552 3 7
Fire Brigade	1,016 18 5	1,727 5 2	1,211 6 6	1,245 4 8	1,039 8 11	6,240 3 8
Premiums and Rents of City Lands	773 2 8	865 15 11	784 5 3	765 4 6	721 5 7	3,909 13 11
Rents of Buildings ..	243 10 0	558 10 0	653 10 0	594 0 0	1,083 12 6	3,133 2 6
Other Rents	418 4 4	1,238 18 6	1,475 3 11	1,841 11 6	1,995 13 4	6,969 11 7
Wayleaves and Privileges ..	648 0 7	454 19 4	520 5 9	480 19 11	679 18 0	2,784 3 7
Markets	3,953 6 8	4,480 7 1	4,781 18 3	7,119 10 1	7,517 7 10	27,852 9 11
Licences	1,727 10 10	1,762 6 0	1,719 15 0	2,006 6 0	1,920 7 6	9,136 5 4
Quarries	911 0 6	1,752 2 11	11,338 10 9	12,603 1 2	720 18 3	27,325 13 7
Fines, Band in Avenue, Interest, &c.	2,543 3 7	2,962 16 3	3,868 2 10	6,752 9 0	10,702 16 0	26,828 7 8
General and Additional Property Rates	83,616 14 6	93,528 17 9	110,807 18 0	117,983 19 5	135,795 7 10	541,732 17 6
Harbour Board Contribution in lieu of Rates ..	2,500 0 0	2,500 0 0	2,500 0 0	2,500 0 0	2,500 0 0	12,500 0 0
Divisional Council	3,269 7 9	2,789 9 7	3,364 4 6	2,373 5 8	2,299 14 0	14,096 1 6
Part repayment by Water Works of amount spent out of General Revenue	..	..	..	.	20,000 0 0	20,000 0 0
Carry forward ..	103,099 16 10	115,108 8 8	144,008 0 9	157,458 4 2	187,386 3 11	707,060 11 4

(2). APPENDIX A.

Five Years ended the 31st December, 1901.

Payments.	1897.	1898.	1899.	1900.	1901.	Totals.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Balance overdrawn 1st Jan. ..	17,691 4 0	12,418 0 3	4,648 12 8	2,977 11 2	8,230 13 6	17,691 4 0
General Works.						
Establishment	7,381 6 3	5,093 11 11	6,292 17 7	8,111 16 10	7,663 14 2	34,543 6 9
Public Works and Improvements .. .	9,937 9 7	6,596 12 6	15,953 7 3	16,850 11 10	9,932 17 8	59,270 18 10
Markets	1,739 19 7	1,847 7 1	2,481 1 10	4,516 18 4	4,362 2 6	14,947 12 4
Public Gardens and Tree Planting	2,958 12 1	3,349 0 7	4,940 1 3	3,808 7 4	4,625 8 6	19,681 9 9
Street and Depôt Staff ..	..	..	..	1,197 0 7	1,417 10 9	2,614 11 4
Maintenance of Roads, Footways, Kerbs and Gutters ..	14,285 6 6	14,824 2 11	24,837 8 5	30,491 10 1	28,226 0 7	109,664 8 6
Carries	6,246 6 5	8,716 12 3	10,046 16 7	16,029 11 4	2,203 16 3	43,243 2 10
Cleansing and Watering Streets and Removal of House Refuse	17,138 3 6	18,331 18 7	18,048 6 6	22,661 16 11	32,045 7 8	108,525 13 2
Salt Water System	1,180 2 6	1,788 19 5	2,188 9 11	2,797 5 8	1,671 6 0	9,626 3 6
Working Expenses — Drainage Works	914 8 11	3,131 13 3	2,598 19 4	1,004 3 2	3,626 6 7	11,275 11 3
Stables	..	..	..	458 17 11	2,601 2 5	3,060 0 4
Street Lighting	4,478 0 6	4,615 3 6	7,096 10 5	5,192 15 1	5,004 18 2	26,387 7 11
Workshops .. .	..	..	..	343 18 5	2,750 7 9	3,094 6 2
Public Health—Staff ..	1,926 10 1	2,137 14 9	2,223 5 3	2,495 10 2	3,778 0 4	12,561 0 7
Public Health Works and Improvements	7,631 11 7	9,593 3 1	7,445 2 7	7,184 18 5	8,080 16 5	39,935 12 1
Hospitals and Expenses in connection with Outbreak of Disease .. .	203 6 8	228 2 2	2,796 19 9	3,600 1 1	1,215 12 2	8,044 1 10
Staff for Regulations of Buildings	..	..	..	1,296 11 10	1,486 19 11	2,783 11 9
Contribution to City Police ..	5,090 7 6	4,922 12 6	4,922 12 6	5,090 7 6		20,026 0 0
Fire Brigade	3,536 2 10	3,949 16 1	3,826 5 2	5,934 4 4	6,997 9 9	24,243 18 2
Contributions to Public Institutions	450 0 0	700 0 0	700 0 0	700 0 0	700 0 0	3,250 0 0
Expenses in connection with Public Hospitality, Public Functions, Demonstrations, &c	397 9 11	500 0 0	857 2 6	1,486 12 10	4,936 17 11	8,178 3 2
Election, Valuation and Auditting Expenses .. .	493 7 11	810 6 5	1,988 13 5	960 8 1	2,196 18 3	6,449 14 1
Compensation Claims, Advertising and Insurance ..	231 2 8	509 10 7	771 2 1	725 1 3	701 11 3	2,938 7 10
Allowances to Men on Active Service	..	..	227 3 6	1,313 16 9	482 1 5	2,023 1 8
Law and Parliamentary Charges	53 13 4	541 0 11	361 7 8	521 15 6	379 9 6	1,857 6 11
Expenses in connection with Stores	..	..	221 19 4	315 11 5	540 9 9	1,078 0 6
Bankers' Commission and Expenses	305 19 4	186 2 11	157 14 9	89 8 2	67 14 2	806 19 4
Miscellaneous Expenses ..	2,527 14 9	1,494 17 6	1,489 10 9	1,024 6 9	1,129 9 5	7,665 19 2
Superannuation Allowances ..	..	..	139 0 0	136 0 6	102 0 0	377 0 6
Contribution to Citizens' Reception Committee	..	..	..	..	1,000 0 0	1,000 0 0
Carry forward	89,407 2 5	93,868 8 11	119,612 1 4	146,339 8 4	139,926 9 3	589,153 10 3

Cape Town Municipality.—*continued.*

Receipts.	1897.	1898.	1899.	1900.	1901.	Totals.
General Works (Continued).	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Brought forward ..	103,099 16 10	115,108 8 8	144,008 0 9	157,458 4 2	187,386 3 11	707,060 14 4
Total Receipts General Works	103,099 16 10	115,108 8 8	144,008 0 9	157,458 4 2	187,386 3 11	707,060 14 4
Electric Lighting Works.						
Supply of Current for Public Lighting and other Corporation purposes .			5,181 0 8	4,181 10 0	5,355 16 10	
Supply of Current to Private Consumers . .	12,238 6 11	16,412 4 1	15,141 16 8	23,380 2 3	26,804 16 6	112,585 5 2
Making Private Connections ..			604 17 7	515 7 10	813 5 7	
Various Sources			334 7 2	290 14 7	157 5 4	
Meters (Sale Produce) ..			775 19 2	245 0 0	..	
Rent of Meters (Day Load) .			..	5 12 6	147 1 6	
Total Receipts Electric Lighting Works	12,238 6 11	16,412 4 1	22,038 1 3	28,618 7 2	33,278 5 9	112,585 5 2
Water Works.						
Charges in respect of Water Supply, Cape Town ..	23,428 15 7	26,137 10 6	27,001 0 1	52,618 18 0	56,937 5 8	195,539 4 5
Charges in respect of Water Supply, Sea Point ..				4,651 18 4	4,763 16 3	
Laying Private Branch Pipes Cape Town	1,156 8 0	1,642 17 0	1,392 17 0	1,050 3 0	1,090 17 0	6,655 11 9
Laying Private Branch Pipes, Sea Point .. .					322 9 9	
Rent of Meters	..	..	..	..	34 19 9	34 19 9
Inspection of Hydrants ..	..	..	..	40 0 0	30 0 0	70 0 0
Wash-houses . . .	242 2 0	200 8 6	171 16 9	203 13 3	208 6 6	1,026 7 0
Various Sources	3,620 16 0	195 18 4	134 10 3	198 10 2	453 6 0	4,602 9 9
Water supplied for Corporation Services and for Fires ..	333 13 9	296 18 8	387 5 1	867 13 6	893 9 7	2,779 0 7
Total Receipts, Water Works ..	28,781 15 4	28,473 13 0	29,087 9 2	59,630 16 3	64,734 10 6	210,708 4 3
Balance overdrawn, 31st December	12,418 0 3	4,648 12 8	2,977 11 2	8,230 13 6	..	..
Summary.						
Receipts—General Works ..	103,099 16 10	115,108 8 8	144,008 0 9	157,458 4 2	87,386 3 11	707,060 14 4
,, Electric Lighting Works ..	12,238 6 11	16,412 4 1	22,038 1 3	28,618 7 2	33,278 5 9	112,585 5 2
,, Water Works ..	28,781 15 4	28,473 13 0	29,087 9 2	59,630 16 3	64,734 10 6	210,708 4 3
Balance overdrawn, 31st December	12,418 0 3	4,648 12 8	2,977 11 2	8,230 13 6	..	..
Grand Totals .. £	156,537 19 4	164,642 18 5	198,111 2 4	253,938 1 1	285,399 0 2	1,030,354 3 9

(2)—*continued.*

Payments.	1897.	1898.	1899.	1900.	1901.	Totals.
General Works (Continued).	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Brought forward ..	89,407 2 5	93,868 8 11	119,612 1 4	146,339 8 4	139,926 9 3	589,153 10 3
Sinking Funds and Interest on Loans ..	12,993 10 0	16,409 6 4	20,241 8 1	23,582 14 5	26,067 16 8	99,294 15 6
Relief of Distress, Refugees ..	..	..	..	552 16 2	..	552 16 2
Total Payments General Works	102,400 12 5	110,277 15 3	139,853 9 5	170,474 18 11	165,994 5 11	689,001 1 11
Electric Lighting Works.						
Expenses of Management .			1,968 1 0	3,022 10 0	4,109 7 6	
Working Expenses ..			6,358 14 6	10,261 19 5	14,871 9 8	
Maintenance and Renewal of Plant	7,347 14 9	12,479 10 5	3,237 4 0	2,899 1 11	7,832 11 3	89,057 15 10
Extension of Plant ..			4,738 16 5	8,493 1 1	1,437 13 11	
Interest on Loans.. ..	3,600 0 0	3,600 0 0	3,910 0 0	3,941 14 9	5,027 3 5	20,078 18 2
Total Payments Electric Lighting Works	10,947 14 9	16,079 10 5	20,212 15 11	28,618 7 2	33,278 5 9	109,136 14 0
Water Works.						
Expenses of Management ..	2,460 8 9	2,379 7 2	2,860 7 0	4,315 6 5	4,780 10 11	16,796 0 3
Working Expenses ..	4,186 12 2	4,760 13 6	5,815 5 1	5,302 1 11	3,892 16 11	23,957 9 7
Maintenance and Renewal of Plant	2,180 18 6	1,894 12 0	2,761 2 6	2,420 14 3	3,150 7 9	12,407 15 0
Extension of Mains, Plant and Buildings	3,422 3 9	2,814 2 4	6,367 11 0	24,016 11 3	5,580 9 1	42,200 17 5
Sinking Fund and Interest ..	13,248 5 0	14,018 17 6	15,591 18 9	15,812 10 0	15,977 16 3	74,649 7 6
Transfer to Reserve Fund for Future Extension ..	..	..	.	..	11,352 9 7	11,352 9 7
Transferred to General Works in part repayment of amounts spent out of Revenue ..	..	..	..	.	20,000 0 0	20,000 0 0
Total Payments, Water Works..	25,498 8 2	25,867 12 6	33,396 4 4	51,867 3 10	64,734 10 6	201,363 19 4
Balance, 31st December ..	..	..	.	..	13,161 4 6	13,161 4 6
Summary.						
Balance overdrawn 1st January	17,691 4 0	12,418 0 3	4,648 12 8	2,977 11 2	8,230 13 6	17,691 4 0
Payments—General Works	102,400 12 5	110,277 15 3	139,853 9 5	170,474 18 11	165,994 5 11	689,001 1 11
,, Electric Lighting Works ..	10,947 14 9	16,079 10 5	20,212 15 11	28,618 7 2	33,278 5 9	109,136 14 0
,, Water Works ..	25,498 8 2	25,867 12 6	33,396 4 4	51,867 3 10	64,734 10 6	201,363 19 4
Balance, 31st December ..	.	..	..	..	13,161 4 6	13,161 4 6
Grand Totals .. £	156,537 19 4	164,642 18 5	198,111 2 4	253,938 1 1	285,399 0 2	1,030,354 3 9

Woodstock Municipality.

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Abstract of Ordinary Receipts and Payments for the

Receipts.	1897.	1898.	1899.	1900.	1901.	Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s.
Opening Balance ..	1,199 17 1	146 6 8	1,125 3 11	141 18 0	12,706 13 8	1,199 17
Ordinary.						
Rates	3,831 13 6	5,474 19 10	7,119 14 11	9,236 12 3	10,712 13 5	36,375 13
Sand *Net*	1,572 2 6	2,382 1 0	2,307 15 0	2,278 13 0	2,522 19 0	11,063 10
Shells	2 17 9	19 0 3	10 3 3	1 4 0	0 3 0	33 8
Judicial Fines	147 0 0	174 7 9	134 16 0	162 16 0	361 7 6	980 6
Rents	51 14 0	116 7 6	98 16 0	116 13 0	249 0 6	632 11
Pound Rent	2 0 0	..	6 7 4	2 4 4	..	10 11
Dog Licences	67 16 9	93 0 0	92 7 6	108 17 6	82 12 6	444 14
Cart and Wagon Licences ..	35 17 3	59 10 0	34 11 0	29 17 3	53 12 0	213 7
Dairy Licences	1 17 0	1 13 0	1 17 0	1 8 0	1 9 0	8 4
Assizing	2 4 6	8 7 4	10 1 11	11 14 5	14 19 7	47 7
Sanitation	..	..	2 17 9	8 8 6	14 7 9	25 14
Sale of Municipal Lands ..	..	..	119 19 0	15,989 14 3	399 16 4	16,509 9
Sale of Building Regulations	..	2 0 0	1 11 0	1 15 9	0 14 0	6 0
Hercules Drain—Contribution from Divisional Council	..	..	..	200 0 0	..	200 0
Plague	..	..	..	..	3,693 12 11	3,693 12
Oliphant's Hoek ..	..	..	..	..	45 0 0	45 0
Church Street	100 0 0	..	..	..	..	100 0
Miscellaneous	1 6 6	6 19 11	0 15 5	242 15 10	189 17 2	441 14
Total Ordinary Receipts	5,816 9 9	8,338 5 10	9,941 13 1	28,392 14 1	18,342 4 8	70,831 7
Waterworks.						
Water Supply	2,525 10 8	3,024 9 4	3,221 1 7	3,292 0 8	3,798 16 6	15,861 18
Plumber	354 14 4	285 6 7	222 9 0	217 18 4	157 0 11	1,237 9
Water Leadings ..	30 2 6	39 2 6	25 15 0	8 10 0	24 7 6	127 17
Meter Deposits	..	..	..	..	65 0 0	65 0
Zonnebloem Water ..	260 4 0	..	..	..	..	260 4
Walmer Water ..	..	3 0 0	..	..	..	3 0
Water Works Joint Commission	..	..	19 5 0	..	..	19 5
Total Receipts Waterworks*	3,170 11 6	3,351 18 5	3,488 10 7	3,518 9 0	4,045 4 11	17,574 14
Advances repaid by Loan Account	..	2,000 0 0	500 0 0	500 0 0	1,800 0 0	4,800 0
Loan from Loan Account ..	..	..	..	..	5,000 0 0	5,000 0
Total of all Receipts ..	8,987 1 3	13,690 4 3	13,930 3 8	32,411 3 1	29,187 9 7	98,206 1
Grand Totals £	10,186 18 4	14,136 10 11	15,055 7 7	32,553 1 1	41,894 3 3	99,405 18

* Note.—Not including share of Receipts and Pay-

Five Years ended the 31st December, 1901.

Payments.	1897.	1898.	1899.	1900.	1901.	Totals.
Ordinary.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
alaries	580 14 4	715 12 6	1,331 14 3	1,287 9 0	3,188 1 3	7,103 11 4
Municipal Buildings, re- ..						
pairs, &c.	..	59 10 0	..	..	275 5 9	334 15 9
urniture	6 4 6	11 18 0	51 6 6	6 6 1	97 13 1	173 8 2
Vages	1,384 3 10	1,694 11 7	4,295 1 11	5,252 5 2	7,799 12 3	20,425 14 9
.uditors' Fees & Special						
Accountant ..	14 14 0	21 0 0	26 5 0	31 10 0	134 10 0	227 19 0
table Maintenance ..	400 5 11	513 13 10	713 19 9	753 10 0	1,520 9 8	3,901 19 2
art Hire	..	6 15 0	..	..	1,469 2 6	1,469 17 6
olice Maintenance ..	52 19 1	218 13 0	168 14 3	232 19 3	301 8 5	974 14 0
ighting	195 1 2	200 0 8	767 5 5	976 3 11	1,048 2 0	3,186 13 2
nterest on Loans ..	774 2 6	783 17 9	721 18 11	698 10 0	2,178 2 8	5,156 11 10
Health Officer	25 0 0	25 0 0	25 17 6	62 10 0	50 0 0	188 7 6
nfectious Diseases ..	..	1 2 6	12 7 6	20 0 0	12 15 0	46 5 0
lague	..	..	..	..	5,459 17 9	5,459 17 9
anitation	..	..	124 2 0	125 19 6	97 14 2	347 15 8
rainage	..	..	..	..	100 0 0	100 0 0
ravel Quarry, Lilliebloem	1,155 19 10	..	..	..	506 2 6	1,662 2 4
tone	..	114 10 11	..	..	..	114 10 11
avement	..	..	..	..	40 15 0	40 15 0
ravel	..	60 1 0	..	..	..	60 1 0
treet Names, &c. ..	..	64 19 8	..	..	..	64 19 8
Vater Boring	..	..	..	184 7 6	..	184 7 6
urvey Fees	..	..	43 1 0	5 5 0	117 14 6	166 0 6
aw Expenses	..	172 16 9	9 4 2	125 7 5	49 2 4	356 10 8
dvertising	120 16 3	141 19 0	128 12 11	131 5 5	348 4 0	870 17 7
tationery and Printing ..	43 13 2	66 7 7	144 16 3	146 8 11	269 0 4	670 6 3
oters' Lists	..	15 0 0	15 0 0	..	..	30 0 0
own Guard	..	..	..	..	100 0 0	100 0 0
ubilee Contribution ..	125 0 0	..	..	..	..	125 0 0
ire Insurances and Appliances	55 1 9	8 1 6	6 11 6	225 3 8	33 4 8	328 3 1
Working Plant ..	625 2 11	545 9 8	865 0 5	696 9 8	1,324 2 3	4,056 4 11
lection Expenses ..	5 5 0	8 2 0	8 8 0	88 14 2	78 18 6	189 7 8
unicipal Lands ..	..	..	..	..	86 7 0	86 7 0
ive Stock	185 10 0	193 0 0	211 0 0	420 0 0	382 0 0	1,391 10 0
bservatory Station Rd.	..	100 0 0	..	78 9 9	112 4 3	290 14 0
ublic Library ..	..	..	..	25 0 0	..	25 0 0
ree Planting	..	5 0 4	81 11 6	12 2 3	..	98 14 1
aluation	122 10 0	54 12 0	63 16 0	42 3 0	150 0 0	433 1 0
liphant's Hoek ..	..	..	..	446 0 9	6,787 0 10	7,233 1 7
ontagu Bridge ..	..	..	..	1 18 9	..	1 18 9
ercules and Church Street						
Drains	..	..	175 17 8	118 7 5	..	294 5 1
epayment of Old Loan	..	1,000 0 0	500 0 0	..	..	1,500 0 0
uspense	..	..	..	..	11 2 3	11 2 3
iscellaneous	66 8 4	42 14 1	209 6 3	132 6 6	589 7 1	1,040 2 3
ash, Maitland Road ..	250 0 0	..	..	..	..	250 0 0
ransfer to Footpath Account	..	..	..	..	98 14 0	98 14 0
Total Ordinary Payments	6,188 12 7	6,838 9 4	10,700 18 8	12,326 13 1	34,816 14 0	70,871 7 8
Waterworks.						
Vater Supply	2,832 5 2	2,966 3 11	3,637 9 3	4,683 18 9	5,378 5 3	19,498 2 4
lumber	419 13 11	706 13 9	575 1 8	535 15 7	403 10 1	2,640 15 0
onnebloem Water ..	300 0 0	..	..	..	..	300 0 0
otal Payments Waterworks*	3,551 19 1	3,672 17 8	4,212 10 11	5,219 14 4	5,781 15 4	22,438 17 4
Advances to Loan Account	..	2,500 0 0	..	2,300 0 0	..	4,800 0 0
Total of all Payments ..	9,740 11 8	13,011 7 0	14,913 9 7	19,846 7 5	40,598 9 4	98,110 5 0
Closing Balance ..	446 6 8	1,125 3 11	141 18 0	12,706 13 8	1,295 13 11	1,295 13 11
Grand Totals ..	10,186 18 4	14,136 10 11	15,055 7 7	32,553 1 1	41,894 3 3	99,405 18 11

ments of the Suburban Municipal Water Works.

A

The Late Village Management Board of Maitland.

Abstract of Ordinary Receipts and Payments for the

Receipts.	YEAR ENDED 31st July, 1898.	YEAR ENDED 31st July, 1899.	YEAR ENDED 31st July, 1900.	YEAR ENDED 31st July, 1901.	Five Months ended 31st Dec., 1901.	Totals.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Opening Balance ..	..	0 4 6	..	..	35 9 7	..
Rates collected by Divisional Council ..	344 1 6	384 7 5	562 8 6	709 3 4	579 3 3	2,579 4 0
Contribution from Divisional Council ..	..	..	..	50 0 0	..	50 0 0
Dog Tax	30 10 0	36 15 0	18 5 0	44 10 0	35 10 0	165 10 0
Dairy Licences, &c. ..	0 18 0	0 17 0	..	..	..	1 15 0
Registration Fees and Judicial Fines ..	109 19 6	75 17 6	71 18 3	112 1 7	90 1 0	459 17 10
House and Land Rent..	1 10 0	5 0 0	3 10 0	..	4 0 0	14 0 0
Pound Fees	..	..	..	0 3 0	..	0 3 0
Contribution towards Public Improvements	..	1 0 0	..	..	..	1 0 0
Refunds under Public Health Act *re* Plague and Small Pox ..	..	..	..	244 5 5	..	244 5 5
Miscellaneous	..	1 0 0	..	0 7 6	..	1 7 6
Total Receipts ..	486 19 0	504 16 11	656 1 9	1,160 10 10	708 14 3	3,517 2 9
Overdrawn Balance	..	30 4 0	156 19 9	..	..	..
Grand Totals ..	486 19 0	535 5 5	813 1 6	1,160 10 10	744 3 10	3,517 2 9

period 1st August, 1897, to 31st December, 1901.

Payments.	YEAR ENDED 31st July, 1898.	31st July, 1899.	31st July, 1900.	31st July, 1901.	Five Months ended 31st Dec., 1901.	Totals.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Balance Overdrawn ..	..	..	30 4 0	156 19 9	..	..
Salaries and Allowances	165 9 5	201 10 7	252 18 2	253 17 8	188 0 7	1,061 16 5
Rent of Offices.. ..	10 10 0	34 5 0	39 0 0	36 0 0	..	119 15 0
Office Furniture ..	9 8 0	..	..	..	..	9 8 0
Stationery, Advertising and Printing.. ..	3 17 6	27 14 5	11 12 6	15 17 0	5 0 9	64 2 2
Legal Charges.. ..	3 3 0	6 6 0	..	0 2 0	..	9 11 0
Bank Charges, Interest	2 1 0	2 10 6	14 11 6	6 17 0	0 4 6	26 4 6
Roads, Public Works, General Supplies, Stables, &c.	292 5 7	254 16 11	419 4 7	301 15 6	146 6 5	1,414 9 0
Plague Expenditure ..	..	..	..	188 2 0	..	188 2 0
Small Pox	..	..	31 16 0	153 2 0	..	184 18 0
Miscellaneous	..	8 2 0	13 14 9	12 8 4	6 7 0	40 12 1
Total Payments ..	486 14 6	535 5 5	782 17 6	968 1 6	345 19 3	3,118 18 2
Closing Balance ..	0 4 6	..	..	35 9 7	398 4 7	398 4 7
Grand Totals ..	486 19 0	535 5 5	813 1 6	1,160 10 10	744 3 10	3,517 2 9

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Mowbray Municipality.

Abstract of Ordinary Revenue and Expenditure

Revenue.	1897.	1898.	1899.	1900.	1901.	Totals.
Ordinary.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Owners' Rates	3,066 4 4	3,441 7 3	4,488 17 4	5,095 3 2	5,656 15 7	21,748 7 8
Tenants' Rates	686 2 0	652 11 0	852 16 9	1,000 4 8	1,204 3 0	4,395 17 5
Special Rates	40 2 1	..	64 18 2	..	..	105 0 3
Alma Special Rates ..	..	..	..	169 7 1	22 16 3	192 3 4
Judicial Fines	62 4 6	129 17 0	93 1 6	112 5 0	107 7 6	504 15 6
Dairy Licences	1 2 0	0 8 0	0 7 0	1 0 0	0 13 0	3 10 0
Dog Tax	82 7 1	103 2 4	99 19 1	106 0 0	81 5 0	472 13 6
Cab Licences	1 10 0	1 0 0	0 10 0	5 0 0	2 10 0	10 10 0
Town Hall Revenue (*Net*)	93 3 0	140 9 8	82 7 11	95 5 9	58 16 1	470 2 5
Rapenburg Revenue (part)	36 10 5	64 7 0	51 5 6	101 6 6	108 2 3	361 11 8
Sanitary Removals ..	386 19 7	379 10 3	375 14 0	594 15 5	299 12 0	2,036 11 3
Watering Roads ..	62 10 0	62 10 0	62 10 0	1 18 6	..	189 8 6
Alma and Banksia Roads	..	..	..	114 15 10	..	114 15 10
Kerbing and Channelling	..	..	378 0 0	..	..	378 0 0
Streets Constructed ..	..	..	..	70 10 5	..	70 10 5
Glee Estate	..	..	..	93 17 6	16 0 0	109 17 6
Premium on Debentures	..	..	10 0 0	..	..	10 0 0
Plague Account	..	..	..	..	450 2 5	450 2 5
Miscellaneous	..	..	24 16 11	48 14 0	8 8 9	81 19 8
Total Ordinary Revenue	4,518 15 0	4,975 2 6	6,585 4 2	7,610 3 10	8,016 11 10	31,705 17 4
Balance overdrawn ..	1,101 3 10	3,876 1 1	3,957 12 9	5,364 13 0	9,250 2 6	9,250 2 6
Grand Totals .. £	5,619 18 10	8,851 3 7	10,542 16 11	12,974 16 10	17,266 14 4	40,955 19 10

for the Five Years ended the 31st December, 1901.

Expenditure.	1897.	1898.	1899.	1900.	1901.	Totals.
Ordinary.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Overdrawn Balance ..	399 16 2	1,101 3 10	3,876 1 1	3,957 12 9	5,364 13 0	399 16 2
Salaries	*25 0 0	*25 0 0	793 3 6	1,124 9 0	1,126 17 10	3,094 10 4
Interest	663 1 5	743 17 2	925 6 8	1,468 4 6	1,862 1 5	5,662 11 2
Police Contribution ..	99 18 7	222 8 5	268 19 11	250 4 3	306 7 6	1,147 18 8
Lamp-lighting	603 19 6	582 8 3	616 18 10	924 4 4	1,108 7 5	3,835 18 4
Scavenging	393 8 9	511 9 9	683 3 9	865 14 11	1,692 16 10	4,146 14 0
Removal of Slop Water	613 16 0	777 11 0	786 9 5	966 4 6	1,152 3 6	4,296 4 5
Sanitary Pails	..	..	41 5 0	..	..	41 5 0
Forage	56 0 8	494 8 5	650 7 2	842 7 3	1,635 18 4	4,183 11 10
Watering Roads ..	129 12 6	135 12 9	223 13 11	101 18 0	100 7 7	691 4 9
Roads	883 16 4	1,974 3 7	469 10 8	413 14 3	..	3,741 1 10
Street Repairs	..	..	683 5 7	504 3 5	918 7 10	2,105 16 10
Side-paths	26 10 9	175 0 0	..	..	..	201 10 9
General Charges ..	†660 17 10	†896 19 0	371 4 8	424 6 3	703 7 5	3,056 15 2
Rapenburg Expenditure	205 13 11	..	..	..	..	205 13 11
Washhouse ,, (*Net*)	8 0 8	112 10 2	56 6 7	36 14 9	36 3 3	249 15 5
Kerbing and Channelling	273 5 9	876 13 6	63 9 0	..	..	1,213 8 3
Jubilee Sports	72 10 0	..	..	..	..	72 10 0
Royal Reception ..	..	..	..	..	349 0 6	349 0 6
Town Guards	..	..	..	..	50 0 0	50 0 0
Drinking Fountain ..	..	..	33 11 2	33 15 0	..	67 6 2
Plague Account.. ..	..	..	..	..	860 1 11	860 1 11
Fire Brigade	..	38 8 6	..	..	..	38 8 6
Alma and Banksia Roads	..	..	..	698 4 10	..	698 4 10
Glee Road	..	..	..	230 5 0	..	230 5 0
Ryan Road	..	..	..	38 5 10	..	38 5 10
York Bridge	..	..	..	62 18 0	..	62 18 0
Lower Main Road ..	..	..	..	31 10 0	..	31 10 0
Depreciation on Town Hall, Fire and other Plant	..	183 9 3	..	..	..	183 9 3
Total Ordinary Expenditure	5,220 2 8	7,749 19 9	6,666 15 10	9,017 1 1	11,902 1 4	40,556 3 8
Grand Totals .. £	5,619 18 10	8,851 3 7	10,542 16 11	12,974 16 10	17,266 14 4	40,955 19 10

*Salary of Health Officer. † Evidently includes Salaries.

[AS ORIGINALLY RENDERED. A

Rondebosch Municipality.

Abstract of Ordinary Revenue and Expenditure

Revenue.	1897.	1898.	1899.	1900.	1901.	Totals.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Opening Balance.. ..	230 17 5	63 15 11	..	6 14 6	8 4 5	230 17 5
Rates	1,047 12 11	5,438 5 1	5,701 1 10	5,890 11 10	7,135 16 3	28,213 7 11
Dog Tax	105 0 0	104 15 0	76 5 0	60 10 0	116 10 0	463 0 0
Licences	..	8 4 9	..	21 3 6	17 0 0	46 8 3
Wash-house and Pound..	178 6 6	93 11 3	105 13 0	125 11 1	140 8 4	643 10 2
Fines, &c...	368 4 0	98 12 6	140 10 9	48 13 0	87 19 6	743 19 9
Sanitary Removals ..	..	902 19 9	854 16 3	1,068 2 10	1,105 2 0	3,931 0 10
Sale of Material, &c. ..	..	181 10 6	138 3 4	305 2 11	506 12 1	1,131 8 10
Proceeds of Sales	..	..	..	355 12 8	265 15 0	621 7 8
Contributions to Public Improvements ..	163 6 0	431 0 11	132 6 0	413 15 4	235 7 0	1,375 15 3
Fire Brigade	..	70 7 6	..	..	..	70 7 6
Steenbras Water Scheme	..	170 6 7	1,656 15 8	..	..	1,827 2 3
Loans Raised	..	..	20,500 0 0	1,500 0 0	..	22,000 0 0
Temporary Loan, Bank ..	..	..	..	212 18 7	366 17 8	579 16 3
Interest Received ..	4 2 1	..	..	..	..	4 2 1
Sanitary Pails Sold to Claremont Municipality..	400 12 4	..	..	..	..	400 12 4
Small-Pox Refund ..	..	..	..	..	216 18 1	216 18 1
Plague	..	..	..	..	600 1 6	600 1 6
Miscellaneous Sundries ..	264 0 0	117 6 4	..	..	..	381 6 4
Total Revenue ..	5,531 3 10	7,617 0 2	29,305 11 10	10,002 1 9	10,794 7 5	63,250 5 0
Balance Overdrawn ..	..	10,003 7 3	..	..	..	..
Grand Totals ..	5,762 1 3	17,684 3 4	29,305 11 10	10,008 16 3	10,802 11 10	63,481 2 5

(6) APPENDIX A.

for the Five Years ended 31st December, 1901.

Expenditure.	1897.	1898.	1899.	1900.	1901.	Totals.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Balance Overdrawn ..	..	..	10,003 7 3			
Salaries, &c.	534 10 0	647 0 0	701 12 6	800 0 0	900 0 0	3,583 2 6
Municipal Buildings ..	..	6,750 0 0	6,461 5 6	..	..	13,211 5 6
Municipal Stables, Live Stock, &c.	..	2,605 14 6	..	..	..	2,605 14 6
Fire Engine Establishment	32 2 6	193 17 6	56 2 6	87 14 0	39 9 3	409 5 9
Electric Fire Alarms, &c..	..	65 0 0	..	..	..	65 0 0
Collecting Drainage ..	474 0 6	503 11 1	463 6 0	527 17 1	745 0 9	2,713 15 5
Scavenging (House Refuse)	220 2 0	322 12 0	354 10 8	406 7 0	615 8 2	1,918 19 10
Night Soil Removals ..	475 0 0	1,228 6 3	949 15 6	1,071 7 8	1,071 4 3	4,795 13 8
Washhouse and Pound ..	153 3 11	155 5 7	225 4 9	155 14 0	261 4 11	950 13 2
Roads, Construction and Repairs	1,033 19 9	1,151 4 9	1,380 5 2	1,342 17 5	2,012 16 9	6,921 3 10
Other Works	1,423 0 9	1,625 7 8	837 11 6	2,042 12 11	560 11 8	6,489 4 6
Rents, Hall, &c	78 0 0	96 0 0	..	..	304 7 1	478 7 1
Street Lighting	453 6 1	440 0 1	589 5 3	624 19 7	680 19 8	2,788 10 8
Town Hall	..	..	..	184 8 3	..	184 8 3
Scenery	..	..	..	51 6 8	102 10 4	153 17 0
Contribution to Police ..	125 1 3	307 12 11	204 14 6	405 13 10	227 12 8	1,270 15 2
Legal Expenses	11 8 0	202 3 9	..	43 17 4	25 17 9	283 6 10
Valuation of Property ..	19 8 0	..	16 16 0	..	85 0 0	121 4 0
Auditors' Fees	24 0 0	24 0 0	37 16 0	..	75 12 0	161 8 0
Steenbras Water Scheme	..	340 13 2	3,313 11 4	..	..	3,654 4 6
Stationery and Advertising	83 18 6	194 13 9	77 19 6	126 11 2	105 10 5	588 13 4
Loans Repaid	200 0 0	200 0 0	2,600 0 0	187 12 11	195 4 6	3,382 17 5
Interest Paid	266 6 9	427 7 0	801 16 9	1,441 9 5	1,547 14 4	4,484 14 3
Petty Expenses	90 17 4	203 13 4	223 16 8	246 14 2	399 16 1	1,164 17 7
Town Guard	..	..	..	..	65 15 0	65 15 0
Royal Reception Committee	..	..	..	..	92 18 1	92 18 1
Plague	..	..	..	..	676 0 6	676 0 6
Small-pox	..	..	..	253 8 5	..	253 8 5
Total Expenditure	5,698 5 4	17,684 3 4	19,295 10 1	10,000 11 10	10,790 14 2	63,469 4 9
Closing Balance ..	63 15 11	..	6 14 6	8 4 5	11 17 8	11 17 8
Grand Totals ..	5,762 1 3	17,684 3 4	29,305 11 10	10,008 16 3	10,802 11 10	63,481 2 5

[AS SUBSEQUENTLY AMENDED.] A

Rondebosch Municipality.

Abstract of Ordinary Receipts and Payments

Receipts.	1897.	1898.	1899.	1900.	1901.	Totals.
Ordinary.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Opening Balance ..	230 17 5	..	..	..	..	230 17 5
Rates—Landlords' ..	3,532 7 8	4,547 17 5	4,768 1 2	4,983 6 11	6,025 14 1	23,857 7 3
,, Tenants' ..	515 5 3	890 7 8	933 0 8	907 14 1	1,110 2 2	4,356 9 10
Interest on Rates ..	4 2 1	2 0 8	1 13 6	..	0 6 6	8 2 9
Sale of Sand	163 6 0	181 10 6	22 18 6	286 3 6	229 2 0	883 0 6
Fines	81 2 6	98 12 6	63 14 0	48 13 0	55 4 0	347 6 0
Dog Tax	105 0 0	104 15 0	76 5 0	60 10 0	116 10 0	463 0 0
,, Badges	4 1 2	0 12 6	..	..	..	4 13 8
Dairy Licences	1 1 0	0 17 0	1 2 0	0 9 0	0 13 0	4 2 0
Cab Licences	5 10 0	4 0 0	5 0 0	6 10 0	9 10 0	30 10 0
,, Drivers' Licences ..	5 10 0	4 0 0	5 0 0	6 10 0	9 10 0	30 10 0
Rickshas	..	..	..	0 8 0	..	0 8 0
Ratepayers' Sanitary Removals	354 9 3	902 19 9	855 7 0	1,078 18 3	1,105 2 0	4,296 16 3
Stercus Pails	392 8 5	..	..	..	..	392 8 5
Refuse Removals ..	..	..	..	..	0 5 9	0 5 0
Removing Refuse, G. H. School	0 8 6	..	..	..	..	0 8 6
Collecting Drainage ..	..	..	2 12 6	..	25 0 0	27 12 6
Live Stock	..	..	..	20 14 2	..	20 14 2
Roads	20 0 0	179 16 3	69 16 0	16 0 0	..	285 12 3
Watering Main Roads ..	62 10 0	62 10 0	62 10 0	..	..	187 10 0
Watering Roads ..	..	..	..	156 5 0	156 5 0	312 10 0
Produce	..	..	..	33 15 0	28 8 0	62 3 0
Wash-house—Current A/c	73 0 3	69 10 0	70 17 9	97 5 6	96 4 9	406 18 3
Pound	24 3 9	24 1 3	34 15 3	28 5 7	44 3 7	155 9 5
Tree Planting	..	5 0 0	..	..	6 5 0	11 5 0
Burg Road Drain ..	..	..	..	..	11 16 3	11 16 3
Grove Road Drain ..	..	..	..	..	20 1 6	20 1 6
Milner Road	201 10 0	271 5 8	..	..	..	472 15 8
Departmental Works Charges	..	..	..	1 2 6	0 12 0	1 14 6
Derelict Land — Camp Ground	..	28 5 2	..	..	..	28 5 2
Skead's Encroachment ..	..	4 0 0	..	..	1 0 0	5 0 0
Fire Brigade	4 10 0	70 7 6	22 15 0	..	32 15 6	130 8 0
Water Rights Option ..	..	77 13 3	..	..	..	77 13 3
Mowbray Municipality ..	..	..	318 19 2	257 10 4	..	576 9 6
Printing Regulations ..	..	80 0 0	..	..	..	80 0 0
Town Hall	..	..	62 9 0	64 3 6	397 16 10	524 9 4
Municipal Buildings Charges	..	..	7 0 0	..	..	7 0 0
Municipal Buildings Lighting	..	..	15 12 1	70 10 8	46 16 11	132 19 8
Piano	..	..	4 4 0	6 6 0	15 15 0	26 5 0
Crockery	..	..	5 5 1	4 2 9	18 15 9	28 3 7
Small Pox	..	..	..	..	216 18 1	216 18 1
Carry forward ..	5,550 5 10	7,610 2 1	7,408 17 8	8,135 3 9	9,780 12 11	38,485 2 3

(7)

APPENDIX A.

for the Five Years ended 31st December, 1901.

'Payments.	1897.	1898.	1899.	1900.	1901.	Totals.
Ordinary.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Balance Overdrawn ..	..	377 9 1	1,107 4 0	3,030 12 3	2,201 8 10	..
General Charges ..	703 7 4	903 19 11	987 17 1	1,022 14 2	1,259 12 4	4,877 10 10
Sanitary Account ..	..	302 17 6	567 8 6	532 10 0	528 13 6	1,931 9 6
Sanitary Removals Contract	475 0 0	760 0 0	..	..	..	1,235 0 0
Ratepayers' Sanitary Removals	..	0 9 9	0 10 9	..	..	1 0 6
Stercus Pails	588 1 9	194 0 1	69 1 4	74 16 5	..	925 19 7
Slop Pails	..	36 5 1	..	..	..	36 5 1
Scavenging	220 2 0	322 12 0	274 9 0	249 8 0	387 6 0	1,453 17 0
Collecting Drainage ..	474 0 6	503 11 1	346 17 0	291 5 0	402 17 9	2,018 11 4
Collecting Drainage Plant	62 0 0	..	..	19 0 0	..	81 0 0
Live Stock	..	281 0 0	359 0 0	45 0 0	100 0 0	785 0 0
Plant	..	265 14 6	50 17 0	..	..	316 11 6
Gravel Supply	321 14 6	348 1 9	612 19 2	376 13 6	484 3 3	2,143 12 2
Roads	597 6 0	803 3 0	678 4 10	809 4 11	1,338 11 3	4,226 10 0
Watering Roads ..	203 5 7	377 4 7	321 12 1	214 1 6	253 10 7	1,369 14 4
Road Plant	..	..	..	..	48 15 0	48 15 0
Watering Main Road Plant	39 19 2	11 12 3	33 17 0	..	..	85 8 5
Street Lighting ..	453 6 1	440 0 1	589 5 3	624 19 7	680 18 8	2,788 9 8
Produce	..	..	300 6 8	832 13 10	688 11 6	1,821 12 0
Wash-house and Ground	70 0 0	..	3 3 6	..	20 0 0	93 3 6
Wash-house — Current Account	116 14 3	113 8 1	144 5 3	110 14 0	191 2 11	676 4 6
Pound	36 9 8	41 17 6	74 6 0	45 0 0	50 2 0	247 15 2
Tree Planting	..	7 12 0	..	13 15 6	163 12 0	184 19 6
Main Road Side Drains	57 2 3	35 12 0	..	..	..	92 14 3
Burg Road Drain ..	..	..	42 10 0	..	13 7 0	55 17 0
Grove Road Drain ..	..	..	..	..	1 3 6	1 3 6
Joint Drainage Scheme	..	..	..	..	7 7 0	7 7 0
Claremont Municipality consequent on delimitation of Boundaries	82 11 8	..	..	..	..	82 11 8
Kerbing Main Road ..	32 18 0	..	..	..	..	32 18 0
Kerbing Rouwkoop Road	203 11 0	..	..	..	..	203 11 0
Milner Road	541 5 0	13 12 0	2 3 0	255 2 1	..	812 2 1
„ „ Bridge ..	..	152 12 0	7 19 0	442 8 8	..	602 19 8
Duke Road Extension ..	..	..	..	47 4 0	..	47 4 0
Belmont Road Sidepath	..	286 16 0	..	..	..	286 16 0
Duke Road Sidepath ..	..	248 10 6	..	..	..	248 10 6
Land—St. Andrew's Rd..	57 1 3	..	..	..	..	57 1 3
Land—Silwood Road ..	..	..	..	12 9 0	..	12 9 0
Land—Main Road for Sidepath	25 0 0	..	17 12 11	..	..	42 12 11
Fencing Mun. Grounds (Camp Ground) ..	..	..	14 4 9	..	..	14 4 9
Railway Level Crossings	..	..	..	..	7 0 0	7 0 0
Departmental Works Charges	..	..	197 13 9	397 11 11	571 1 3	1,166 6 11
Carry forward ..	5,360 16 0	6,450 11 8	5,696 3 10	6,416 12 1	7,197 15 6	31,121 19 1

A

Rondebosch Municipality.

Receipts.	1897.	1898.	1899.	1900.	1901.	Totals.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Brought forward ..	5,550 5 10	7,610 2 1	7,408 17 8	8,135 3 9	9,780 12 11	38,485 2 3
Plague	..	..	..	..	600 1 6	600 1 6
Rondebosch Cottage Hospital	..	..	17 2 0	..	..	17 2 0
Rondebosch Public Library	..	..	13 6 8	40 0 0	16 13 4	70 0 0
Rondebosch Club ..	..	..	25 0 0	120 0 0	30 0 0	175 0 0
Entertainment Account..	..	..	5 6 6	..	..	5 6 6
Incidental Receipts ..	0 18 0	1 8 0	9 14 3	5 12 0	2 12 0	20 4 3
D. B. Millar	..	..	0 1 0	..	..	0 1 0
Commission	..	..	..	0 2 0	..	0 2 0
Purchase by Loan Account of site for Municipal Hall	..	..	..	1,000 0 0	..	1,000 0 0
Total Ordinary Receipts ..	5,551 3 10	7,611 10 1	7,479 8 1	9,300 17 9	10,429 19 9	40,372 19 6
Loan from Loan Account *re* Steenbras Scheme	..	..	..	1,350 0 0	..	1,350 0 0
Receipts *re* Steenbras Scheme	..	92 13 4	1,326 14 6	..	..	1,419 7 10
Total of all Receipts ..	5,551 3 10	7,704 3 5	8,806 2 7	10,650 17 9	10,429 19 9	43,142 7 4
Balance overdrawn	377 9 1	1,107 4 0	3,030 12 3	2,201 8 10	2,418 18 6	2,418 18 6
Grand Totals .	6,159 10 4	8,811 7 5	11,836 14 10	12,852 6 7	12,848 18 3	45,792 3 3

(7)—(*continued*).

Payments.	1897.	1898.	1899.	1900.	1901.	Totals.
	£ s. d.	£ s. d.	£ s. d.	£ s. d	£ s. d.	£ s. d.
Brought forward ..	5,360 16 0	6,450 11 8	5,696 3 10	6,416 12 1	7,197 15 6	31,121 19 1
Fire Brigade	32 2 6	118 14 6	56 7 6	87 14 0	39 9 3	334 7 9
Fire Extinguishing Appliances	..	75 3 0	..	..	..	75 3 0
Electric Fire Alarms ..	..	65 0 0	32 10 0	..	..	97 10 0
Water Rights Option ..	..	155 6 6	..	..	..	155 6 6
Interest on Mortgage Bond on Steenbras purchase	..	..	237 10 0	475 0 0	475 0 0	1,187 10 0
Interest	2 6 9	171 7 0	74 8 0	41 7 3	34 1 6	323 10 6
,, Debentures ..	264 0 0	256 0 0	248 0 0	211 19 6	328 1 6	1,308 1 0
,, Government Loan	..	..	220 8 9	718 2 11	710 11 4	1,649 3 0
Colonial Government Loan repaid	..	..	..	187 12 11	195 4 6	382 17 5
Debentures Redeemed ..	200 0 0	200 0 0	..	..	..	400 0 0
Police	125 1 3	307 12 11	204 14 6	405 13 10	227 12 8	1,270 15 2
Valuation of Property ..	19 8 0	17 14 0	16 16 0	11 10 0	85 0 0	150 8 0
Legal Expenses.. ..	11 8 0	202 3 9	..	43 17 4	25 17 9	283 6 10
Office Furniture.. ..	31 5 6	11 10 0	..	..	3 0 0	45 15 6
Stationery	46 0 3	28 10 6	25 8 6	37 11 0	30 3 5	167 13 8
Advertising and Printing	37 18 3	46 3 3	52 11 0	89 0 2	75 7 0	300 19 8
Printing Regulations ..	..	120 0 0	..	..	..	120 0 0
Town Hall	..	..	..	..	208 0 8	208 0 8
Municipal Buildings Furniture	..	..	252 6 11	..	..	252 6 11
Do. Charges ..	..	..	166 10 8	255 8 4	57 13 4	479 12 4
Do. Lighting ..	..	..	40 15 0	75 6 8	38 13 1	154 14 9
Flagstaff	..	..	..	88 17 0	..	88 17 0
Scenery (part cost) ..	..	..	..	51 6 8	42 10 4	93 17 0
Piano	..	..	127 18 0	..	1 12 6	129 10 6
Crockery	..	..	31 6 5	..	6 9 3	37 15 8
Small Pox	..	..	3 3 0	253 8 5	..	256 11 5
Plague	..	..	..	..	676 0 6	676 0 6
Moodie Drinking Fountain	3 15 0	8 14 7	4 1 3	1 17 6	2 16 3	21 4 7
Supplying Water to Poor	12 2 6	14 0 0	9 7 6	3 15 0	11 17 6	51 2 6
Rondebosch Cottage Hospital	..	..	2 9 6	..	..	2 9 6
Municipal Seal	..	..	12 17 4	..	..	12 17 4
Gratuity	4 4 0	..	..	..	..	4 4 0
Dog Badges	9 2 4	..	..	..	..	9 2 4
Royal Reception Committee	..	..	..	..	92 18 1	92 18 1
Rondebosch Town Guard	..	..	..	..	65 15 0	65 15 0
Commission	..	..	0 1 0	0 2 0	0 1 3	0 4 3
Entertainment Account..	..	..	10 10 0	..	..	10 10 0
Total Ordinary Payments ..	6,159 10 4	8,248 11 8	7,526 4 8	9,456 2 7	10,631 12 2	42,022 1 5
Payments *re* Steenbras Scheme	..	185 6 8	3,203 6 2	365 11 9	15 17 3	3,770 1 10
Total of all Payments ..	6,159 10 4	8,433 18 4	10,729 10 10	9,821 14 4	10,647 9 5	45,792 3 3
Grand Totals ..	6,159 10 4	8,811 7 5	11,836 14 10	12,852 6 7	12,848 18 3	45,792 3 3

A

Claremont Municipality.

Abstract of Ordinary Revenue and Expenditure for

Revenue.	1897.	1898.	1899.	1900.	1901.	Totals.
Ordinary.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d
Owners' Rate	6,653 5 10	7,165 1 7	7,713 4 2	8,241 15 10	9,947 1 3	39,720 8
Tenants' Rate	1,257 19 2	1,276 18 0	1,372 5 9	1,508 11 6	1,934 8 7	7,350 3
Special Rates— Apportionment of Rates between Wynberg, Rondebosch and Claremont Municipalities ..	263 14 9	..	..	..	..	263 14
Dog Tax	85 16 7	108 5 0	134 10 0	118 0 0	148 2 0	594 13
Cab Licences	..	48 2 6	60 12 6	96 5 0	101 5 0	306 5
Judicial Fines	..	122 17 0	110 19 0	139 16 0	169 19 0	543 11
Weights and Measures ..	..	..	11 18 0	7 15 9	3 2 9	22 16
Sanitary	..	720 2 9	654 3 3	690 12 4	1,022 0 7	3,086 18 1
Wash-house Revenue ..	..	102 9 2	117 11 9	136 16 3	179 14 0	536 11
Rent	..	8 15 0	33 15 0	33 15 0	..	76 5
Interest	..	5 1 2	..	..	..	5 1
Hall Revenue	78 4 8	260 13 9	243 18 0	249 16 9	184 14 0	1,017 7
Sale of Timber.. ..	..	..	..	..	27 14 6	27 14
Contribution for Watering Roads	..	296 10 0	250 11 9	304 1 2	339 7 6	1,190 10
Gravel Supply	..	519 4 7	..	..	..	519 4
Refunds under Public Health Act ..	..	..	..	..	802 13 11	802 13 1
Expenditure repaid by Loan Account	..	..	3,031 10 5	..	..	3,031 10
Contribution from Government, Royal Visit ..	..	..	..	..	218 5 4	218 5
Proportion of proceeds of Sale of Hudson's Property	..	..	..	..	360 7 10	360 7 1
Contractor's Deposits ..	..	..	..	..	130 0 0	130 0
Miscellaneous	70 15 11	38 6 8	6 16 4	28 9 5	46 12 4	191 0
Withdrawn from Standard Bank Loan A/c ..	406 0 0	109 19 4	..	..	..	509 19
J. Bisset, Balance A/c ..	0 17 1	..	..	..	..	0 17
Outstanding Rates, valued at	75 0 0	45 0 0	..	..	..	120 0
Total Ordinary Revenue	8,885 14 0	10,827 6 6	13,741 15 11	11,555 15 0	15,615 8 7	60,626 0
Advances repaid by Loan Account	..	..	257 3 0	219 16 11	356 10 9	833 10
Total Revenue ..	8,885 14 0	10 827 6 6	13,998 18 11	11,775 11 11	15,971 19 4	61,459 10
Closing overdrawn Balance	2,878 7 0	2,798 16 3	473 17 3	905 3 7	2,799 4 5	2,799 4
Grand Totals ..	11,764 1 0	13,626 2 9	14,472 16 2	12,680 15 6	18,771 3 9	64,258 15

(8). APPENDIX A.

the Five Years ended the 31st December, 1901.

Expenditure.	1897.	1898.	1899.	1900.	1901.	Totals.
Ordinary.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
pening overdrawn Balance	974 0 9	2,878 7 0	2,798 16 3	473 17 3	905 3 7	974 0 9
eneral Charges ..	1,148 10 2	1,553 11 9	1,593 18 1	1,656 11 1	2,395 0 1	8,647 11 2
nterest	795 6 1	810 6 8	981 12 5	1,052 4 3	1,258 3 8	4,897 13 1
olice	555 5 4	680 10 1	680 10 4	731 8 3	909 0 10	3,556 14 10
ent	72 0 0	72 0 0	72 0 0	72 0 0	72 0 0	360 0 0
ighting	806 6 6	826 8 5	960 0 4	1,107 15 8	1,239 2 3	4,939 13 2
cavenging	567 9 6	780 12 8	645 7 9	546 19 0	519 11 2	3,060 0 1
anitary Liquid Removals	559 5 8	629 16 2	786 16 11	923 11 3	1,005 2 4	3,904 12 4
anitary Removals ..	140 19 0	1,160 9 1	1,146 15 11	1,235 9 4	1,602 1 8	5,285 15 0
Household Refuse Removals	..	..	625 7 6	653 10 3	776 13 6	2,055 11 3
Maintenance of Roads ..	4,044 5 8	2,520 1 8	1,765 8 7	1,656 19 7	1,855 16 7	11,842 12 1
oad Watering ..	552 14 4	603 10 0	766 16 1	868 1 9	547 8 7	3,338 10 9
Hall Expenses	..	151 4 3	248 10 8	250 7 1	158 3 8	808 5 8
Wash-house Expenditure ..	146 3 3	192 16 10	166 15 6	185 19 9	205 13 0	897 8 4
lant and Maintenance ..	..	265 19 11	132 7 9	127 1 11	334 9 3	859 18 10
Depreciation of Plant ..	637 4 9	147 9 0	166 7 0	294 13 7	785 3 2	2,030 17 6
ools	..	5 11 9	55 2 7	13 4 6	31 9 10	105 8 8
table Expenses ..	..	..	..	..	297 13 10	297 13 10
Wagon Sheds	..	..	11 10 0	..	..	11 10 0
orage	..	..	..	63 19 7	728 2 1	792 1 8
isinfectants	..	85 16 6	37 6 0	29 7 6	6 8 4	158 18 4
epayment of Rates ..	..	4 3 4	..	..	..	4 3 4
epayment of Loans ..	400 0 0	200 0 0	200 0 0	439 17 1	449 10 11	1,689 8 0
xpenses, Hall's action *re* Stormwater ..	..	..	334 1 3	18 7 6	..	352 8 9
ain Roads Property, Cleaning	..	..	9 17 3	34 12 5	..	44 9 8
oad Construction A/c—Written off ..	..	57 7 8	..	..	..	57 7 8
udson's Property, Proportion not included in 1899 Loan, and Compensation	..	..	30 5 0	..	378 14 0	408 19 10
ontribution, Wynberg Cottage Hospital ..	..	..	..	25 0 0	25 0 0	50 0 0
oyal Visit	..	..	..	..	682 13 4	682 13 4
ubilee Expenses ..	64 10 0	..	..	..	..	64 10 0
lague Account ..	..	..	..	..	1,020 18 0	1,020 18 0
own Guard	..	..	..	..	95 8 6	95 8 6
epayment of Contractors' Deposits	..	..	..	..	130 0 0	130 0 0
otal Ordinary Expenditure	10,790 0 3	10,747 15 9	11,416 16 11	11,987 1 4	17,509 9 5	62,451 3 8
ermanent Works—chargeable to Loan Accounts..	..	..	257 3 0	219 16 11	356 10 9	833 10 8
Total Expenditure ..	10,790 0 3	10,747 15 9	11,673 19 11	12,206 18 3	17,866 0 2	63,284 14 4
Grand Totals ..	11,764 1 0	13,626 2 9	14,472 16 2	12,680 15 6	18,771 3 9	64,258 15 1

A

Wynberg Municipality.

Abstract of Ordinary Receipts and Payments for the

Receipts.	1897.	1898.	1899.	1900.	1901.	Totals.
Ordinary.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Owners' Rate	1,639 2 8	4,932 6 2	6,096 19 2	6,718 19 4	7,141 10 2	26,528 17 6
Tenants' Rate	370 12 3	1,147 9 8	1,065 10 5	1,307 0 9	1,183 19 10	5,074 12 11
Sanitary	2 8 6 6	134 9 6	262 1 5	173 2 0	2 9 16 10	1,027 16 3
Dog Tax	89 5 0	82 15 0	181 15 0	213 15 0	214 0 0	781 10 0
Cabs	47 15 0	59 17 6	54 11 8	58 15 4	73 16 4	294 15 10
Fees and Fines ..	93 14 0	158 9 6	155 19 6	161 17 0	239 16 0	809 16 0
Interest	13 0 2	27 6 10	27 0 0	41 2 4	37 2 2	145 11 6
Park Lands	121 13 9	80 12 7	..	342 16 9	133 16 0	678 19 1
Fire Brigade	7 4 6	4 18 0	49 13 6	32 6 6	31 3 0	125 5 6
Miscellaneous	42 4 8	54 5 8	71 15 10	71 4 0	70 19 2	310 9 4
Road Watering, Contribution	..	..	87 10 0	91 6 5	197 18 4	376 14 9
Hall	..	..	..	..	246 14 9	246 14 9
Plague Refund ..	..	..	..	..	507 2 11	507 2 11
Hospital	..	..	..	..	29 0 6	29 0 6
Roads Refund	..	..	..	..	184 8 10	184 8 10
Lighting Refund ..	..	..	..	..	5 0 0	5 0 0
Total Ordinary Receipts	2,642 18 6	6,682 10 5	8,052 16 6	9,212 5 5	10,536 4 10	37,126 15 8
Waterworks.						
Water by Meter ..	2,132 0 5	2,611 3 10	2,741 8 4	2,893 4 4	3,598 1 8	13,975 18 7
Water by Valuation ..	870 6 9	941 13 1	923 1 7	781 14 7	677 8 3	4,194 4 3
Orange Kloof Farm Rent	61 0 0	65 0 0	78 0 0	79 0 0	60 0 0	343 0 0
Water for Road Watering	..	..	..	90 0 0	90 0 0	180 0 0
Total Receipts, Waterworks	3,063 7 2	3,617 16 11	3,742 9 11	3,843 18 11	4,425 9 11	18,693 2 10
Do. Leadings.						
Leadings from Mains ..	509 11 10	544 15 7	565 9 6	358 17 6	315 12 0	2,294 6 5
Stores Sold	14 17 8	12 8 7	13 14 8	..	1 7 0	42 7 11
Total Receipts, Leadings	524 9 6	557 4 2	579 4 2	358 17 6	316 19 0	2,336 14 4
Total Receipts, Waterworks & Leadings	3,587 16 8	4,175 1 1	4,321 14 1	4,202 16 5	4,742 8 11	21,029 17 2
Grand Totals ..	6,230 15 2	10,857 11 6	12,374 10 7	13,415 1 10	15,278 13 9	58,156 12 10

Five Years ended the 31st December, 1901.

PAYMENTS.	1897.	1898.	1899.	1900.	1901.	TOTALS.
Ordinary.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Scavenging	808 14 9	837 9 4	778 13 1	885 15 1	1,613 14 9	4,924 7 0
Roads	1,103 19 2	1,619 5 6	790 16 10	1,273 15 6	2,700 13 7	7,188 10 7
Gravel	0 10 0	..	185 18 3	27 18 9	106 12 5	320 19 5
Road Watering ..	52 13 3	234 19 6	202 9 5	241 16 6	305 5 11	1,037 4 7
Sanitary	1,323 2 9	2,177 12 2	2,150 17 7	2,655 2 10	3,977 3 6	12,283 18 10
Advertising	23 14 8	33 18 0	37 19 10	47 10 0	30 13 0	173 15 6
Clothing	11 11 11	10 18 6	11 14 0	26 19 0	19 6 4	80 9 9
Fire Brigade	14 12 0	51 3 2	35 13 4	17 15 0	116 5 6	235 9 0
Footpaths	2 14 0	14 0 9	16 3 9	62 4 1	77 6 6	172 9 1
Lighting	663 7 1	1,134 9 4	911 16 1	1,004 8 3	1,325 12 7	5,039 13 4
Printing and Stationery	15 10 6	35 3 3	47 15 4	35 13 4	38 11 2	172 13 7
Petty Cash	37 3 4	40 5 0	40 17 5	47 2 0	69 0 0	234 7 9
Police	158 9 2	385 17 9	195 15 7	396 19 5	319 6 2	1,456 8 1
Rent	83 0 0	127 0 0	105 10 0	83 17 6	6 18 3	406 5 9
Interest	264 7 4	332 11 0	371 6 10	434 11 10	518 8 4	1,921 5 4
Park Lands	52 1 10	147 12 11	23 15 6	347 16 4	211 11 10	782 18 5
Salaries	106 15 0	488 3 8	534 15 0	735 5 0	979 0 0	3,143 18 8
Miscellaneous	345 9 2	194 12 3	149 6 7	124 3 0	229 0 5	1,042 11 5
Forage	..	..	202 14 6	107 5 6	143 19 8	453 19 8
Architect's Fees ..	..	..	109 10 0	62 10 0	..	172 0 0
Valuating	..	..	..	146 11 0	30 18 9	177 9 9
Cabstand	..	..	..	169 19 6	..	169 19 6
Engineer's Salary ..	..	..	..	66 13 4	..	66 13 4
Auditors	..	..	..	14 0 0	27 6 8	41 6 8
Macadam	..	..	..	270 0 0	68 5 0	338 5 0
Plague	..	..	..	..	572 14 10	572 14 10
Engineer's Requirements	..	..	..	..	20 16 2	20 16 2
Collector	..	..	..	..	87 10 0	87 10 0
Hall	..	..	..	..	741 8 7	741 8 7
Stormwater Drains ..	..	..	..	..	468 14 7	468 14 7
Stables	..	..	..	..	4 15 0	4 15 0
Royal Visit	..	..	..	..	200 0 0	200 0 0
Hospital	..	..	..	..	24 2 3	24 2 3
Total Ordinary Payments	5,367 15 11	7,865 2 1	6,903 8 11	9,285 12 9	15,035 1 9	44,457 1 5
Waterworks.						
Wages	66 1 6	92 17 4	191 1 7	340 6 9	352 17 11	1,043 5 1
Advertising	14 13 3	29 15 11	14 18 7	17 17 9	22 19 7	100 5 1
Clothing	6 17 4	7 6 6	7 6 9	17 11 9	8 12 2	47 14 6
Hydrants	1 8 0	4 3 11	16 12 9	16 14 3	36 4 1	75 3 0
Interest	1,990 18 0	2,355 17 10	2,494 11 10	2,575 17 10	2,963 1 5	12,380 6 11
Meters, Repairs to ..	22 18 2	20 4 0	52 5 5	38 8 3	3 1 6	136 17 4
Printing and Stationery	9 8 6	20 19 6	18 7 2	26 6 7	22 16 1	97 17 10
Orange Kloof Farm ..	9 19 6	8 15 0	5 5 0	36 14 0	5 5 0	65 18 6
Petty Cash	21 18 8	18 18 8	23 2 7	32 18 0	36 0 0	132 17 11
Pipe Track	22 6 6	16 15 0	19 4 6	4 16 6	7 11 0	70 13 6
Rent and Lighting ..	15 0 0	17 5 0	16 10 7	34 10 10	27 7 9	110 14 2
Salaries	277 5 0	284 5 0	300 10 0	366 10 0	474 16 9	1,703 6 9
Miscellaneous	257 9 4	106 3 9	163 1 7	114 0 8	108 18 6	749 13 10
Meters, Fixing ..	..	..	45 3 2	..	..	45 3 2
Meters, Purchase of ..	..	..	..	884 17 1	66 19 1	951 16 2
Engineer's Salary ..	..	..	..	33 6 8	66 13 3	99 19 11
Auditors	..	..	..	6 0 0	12 13 4	18 13 4
Engineer's Department	..	..	..	..	4 1 0	4 1 0
Royal Visit	..	..	..	..	300 0 0	300 0 0
Total Payments, Waterworks	2,716 3 9	2,983 7 5	3,368 1 6	4,546 16 11	4,519 18 5	18,134 8 0
Do. Leadings.						
Wages	222 3 4	207 10 8	173 13 0	104 16 1	257 4 11	965 8 0
Fittings	201 11 5	318 9 7	281 3 1	172 5 7	361 8 4	1,334 18 0
Salaries	120 10 0	128 5 0	116 0 0	51 0 0	..	415 15 0
Rent	6 0 0	6 0 0	3 0 0	..	..	15 0 0
Clothing	3 19 9	10 10 3	..	..	..	14 10 0
Printing and Stationery	1 9 0	7 0 0	..	..	..	8 9 0
Petty Cash	..	3 0 0	4 8 3	6 5 0	..	13 13 3
Stores Purchased ..	1 12 0	8 12 4	..	..	..	10 4 4
Total Payments, Leadings	557 5 6	689 7 10	578 4 4	334 6 8	618 13 3	2,777 17 7
Total Payments, Waterworks & Leadings	3,273 9 3	3,672 15 3	3,946 5 10	4,881 3 7	5,138 11 8	20,912 5 7
Grand Totals ..	8,641 5 2	11,537 17 4	10,849 14 9	14,166 16 4	20,173 13 5	65,369 7 0

A

Kalk Bay Municipality.

Abstract of Ordinary Revenue and Expenditure for the

Revenue.	1897.	1898.	1899.	1900.	1901.	Totals.
Ordinary.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Opening Balance ..	..	206 18 8	2,341 13 10	3,440 19 3	4,433 15 5	..
Owners' Rates	1,198 0 6	3,223 7 4	2,181 5 7	3,008 10 2	3,337 19 2	12,949 2 9
Judicial Fines	80 12 0	111 14 0	101 19 0	81 15 0	101 7 2	477 7 2
Dog Licences	13 10 0	19 0 0	25 10 0	23 5 0	21 5 0	102 10 0
Other Licences	163 8 5	156 6 8	140 5 9	153 5 0	172 12 2	785 18 0
Sanitary	252 12 11	905 7 8	850 16 6	1,080 7 0	1,182 12 6	4,271 16 7
Interest	..	..	..	32 9 5	..	32 9 5
Rent	25 10 0	33 10 0	34 0 0	19 10 0	48 0 0	160 10 0
Sale of Municipal Lands	..	250 0 0	357 10 0	2,064 19 5	2,852 10 0	5,524 19 5
Total Ordinary Revenue ..	1,733 13 10	4,699 5 8	3,691 6 10	6,464 1 0	7,716 6 0	24,304 13 4
Waterworks.						
Water Rates	..	..	..	473 6 6	1,092 10 10	1,565 17 4
Total of all Revenue	1,733 13 10	4,699 5 8	3,691 6 10	6,937 7 6	8,808 16 10	25,870 10 8
Grand Totals £	1,733 13 10	4,906 4 4	6,033 0 8	10,378 6 9	13,242 12 3	25,870 10 8

(10)

Five Years ended the 31st December, 1901.

Expenditure.	1897.	1898.	1899.	1900.	1901.	Totals.
Ordinary.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Opening Overdrawn Balance	138 17 7	..	..	..	..	138 17 7
Salaries	298 14 10	349 3 4	396 13 4	438 0 0	754 4 6	2,236 16 0
Interest	28 1 11	18 14 9	18 12 11	1,221 16 11	1,286 16 10	2,574 3 4
Auditor's Fees	26 5 0	26 5 0	26 0 0	26 5 0	43 12 6	148 7 6
Advertising	29 11 0	22 12 7	44 19 7	73 12 9	103 2 4	273 18 3
Stationery and Printing	15 0 0	25 12 1	24 9 2	27 9 0	79 13 8	172 3 11
Legal Charges	3 0 8	40 16 7	3 0 4	31 1 11	22 12 6	100 12 0
Valuation Expenses ..	..	50 0 0	5 0 0	65 0 0	26 19 0	146 19 0
Miscellaneous	93 8 5	91 5 11	153 2 2	132 13 7	431 4 6	901 14 7
Sanitary	798 1 10	1,090 1 8	1,137 18 8	1,262 19 4	2,085 3 0	6,374 4 6
Lighting	30 1 5	95 15 10	112 1 4	112 18 6	126 13 0	477 10 1
Police	..	..	..	98 6 8	72 1 9	170 8 5
Road Repairs	..	..	48 12 10	40 18 3	190 1 1	279 12 2
General Improvements ..	..	58 13 3	16 7 4	..	141 16 10	216 17 5
Rent	65 12 6	44 10 0	72 10 0	95 7 0	57 0 0	334 19 6
Watering Streets ..	..	..	38 7 9	39 18 11	86 8 7	164 15 3
Washhouse Expenditure	..	..	..	..	5 10 0	5 10 0
Plant Repairs	..	..	16 2 1	29 15 11	126 2 7	172 0 7
Depreciation	..	20 6 7	120 13 11	242 2 0	285 7 7	668 10 1
Cemetery	..	28 6 3	..	63 0 0	..	91 6 3
Plague Account	..	..	..	..	547 1 8	547 1 8
Royal Reception ..	..	..	..	..	240 14 4	240 14 4
Municipal Improvement Bill	..	352 6 8	..	..	..	352 6 8
Expenditure from Proceeds of Sale of Municipal Lands ..	..	250 0 0	357 10 0	1,850 2 8	2,592 13 4	5,050 6 0
Total Ordinary Expenditure	1,387 17 7	2,564 10 6	2,592 1 5	5,851 8 5	9,304 19 7	21,700 17 6
Waterworks.						
Waterworks	..	..	..	93 2 11	219 7 4	312 10 3
Total of all Expenditure ..	1,387 17 7	2,564 10 6	2,592 1 5	5,944 11 4	9,524 6 11	22,013 7 9
Closing Balance ..	206 18 8	2,341 13 10	3,440 19 3	4,433 15 5	3,718 5 4	3,718 5 4
Grand Totals £	1,733 13 10	4,906 4 4	6,033 0 8	10,378 6 9	13,242 12 3	25,870 10 8

A

Simon's Town Municipality.

Abstract of Receipts and Payments for the

Receipts.	1897.	1898.	1899.	1900.	1901.	Totals.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Opening Balance	151 17 0	15 16 0	339 11 10	67 11 3	..	151 17 0
Ordinary.						
Owners' Rates	464 10 0	1,138 18 8	850 18 3	888 0 4	1,190 8 10	4,532 16 1
Judicial Fines	67 5 0	83 14 0	89 14 0	56 17 6	40 1 0	337 11 6
Dog Licences (*Net*) ..	39 0 0	35 11 8	47 12 6	64 3 4	55 7 6	241 15 0
Cab Licences (*Net*)	14 7 6	13 12 6	9 19 6	22 13 0	21 7 6	82 0 0
Grazing and Firewood Licences ..	2 2 6	2 17 0	4 0 0	5 7 6	4 0 0	18 7 0
Stone and Gravel Licences ..	1 12 8	53 5 0	12 18 8	7 13 8	1 13 8	77 3 8
Brickmaking Licences	20 6 6	36 10 6	48 1 6	6 0 0	18 15 0	129 13 6
Pound Fees	..	..	..	..	0 0 6	0 0 6
Sale of Bye-Laws	0 2 3	0 5 3	0 2 3	0 1 0	0 3 3	0 14 0
Rents	53 18 3	76 9 7	123 5 9	88 18 9	58 17 10	401 10 2
Sanitary	114 2 6	135 7 6	162 3 0	222 3 0	344 3 7	977 19 7
Scavenging	55 0 0	55 0 0	55 0 0	68 1 0	67 0 0	300 1 0
Watering Streets	50 0 0	50 0 0	50 0 0	50 0 0	50 0 0	250 0 0
Private Water Service ..	..	..	..	..	13 2 7	13 2 7
Private Sanitary Service ..	..	..	..	..	61 0 6	61 0 6
Drainage	..	..	..	1 0 0	30 2 0	31 2 0
Contributions towards Roads ..	23 8 6	..	149 7 6	3 19 0	..	176 15 0
Footpaths	..	15 19 9	..	..	..	15 19 9
Special Works Account ..	..	..	..	..	7 10 7	7 10 7
Plague Account	..	..	..	..	629 3 6	629 3 6
Lazaretto	..	..	161 14 1	..	..	161 14 1
Municipal Buildings	..	..	2 5 0	..	..	2 5 0
Contractor's Security	..	..	..	..	50 0 0	50 0 0
Davis & Soper	..	9 19 10	..	..	..	9 19 10
Miscellaneous	..	1 8 0	0 4 0	0 5 0	110 17 5	112 14 5
Sale of Municipal Lands ..	..	..	1,242 13 6	..	..	1,242 13 6
Total Ordinary Receipts ..	905 15 8	1,708 19 3	3,009 19 6	1,485 3 1	2,753 15 3	9,863 12 9
Water Works.						
Water Supply	367 9 3	458 16 1	460 5 0	573 16 6	711 18 6	2,572 5 4
Waterworks	..	..	14 17 2	13 6 3	..	28 3 5
Total Receipts, Water Works ..	367 9 3	458 16 1	475 2 2	587 2 9	711 18 6	2,600 8 9
Loan Receipts.						
Loan for New Reservoir ..	..	13,500 0 0	..	..	..	13,500 0 0
Receipts to Credit	..	4 11 2	312 14 8	12 0 0	2 0 0	331 5 10
		13,504 11 2	312 14 8	12 0 0	2 0 0	13,831 5 10
Loan for Special Works ..	..	..	..	..	4,400 0 0	4,400 0 0
	..	..	..	..	4,400 0 0	4,400 0 0
Total of all Receipts ..	1,273 4 11	15,672 6 6	3,797 16 4	2,084 5 10	7,867 13 9	30,695 7 4
Closing Overdrawn Balance ..	..	..	..	567 11 11	729 4 0	729 4 0
Grand Totals	1,425 1 11	15,688 2 6	4,137 8 2	2,719 9 0	8,596 17 9	31,576 8 4

Five Years ended the 31st December, 1901.

PAYMENTS.	1897.	1898.	1899.	1900.	1901.	TOTALS.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Opening Overdrawn Balance ..	..	..	..	..	567 11 11	..
Ordinary.						
Salaries	180 0 0	196 0 0	298 6 8	367 5 0	623 2 0	1,664 13 8
Municipal Buildings	..	23 5 0	107 17 11	172 17 6	846 11 2	1,150 11 7
Furniture	..	..	..	4 10 3	..	4 10 3
Rent	36 0 0	18 0 0	66 0 0	..	..	120 0 0
Auditors' Fees	4 4 0	6 0 0	6 0 0	6 0 0	..	22 4 0
Interest	1 4 9	0 2 0	54 2 3	103 5 10	169 2 9	327 17 7
Stationery and Printing ..	42 4 11	43 4 2	48 1 11	57 6 7	31 18 11	222 16 6
Election Expenses	..	..	..	12 3 3	0 2 6	12 5 9
Miscellaneous	91 11 5	98 16 2	94 19 6	83 1 5	277 10 11	645 19 5
Sanitary	175 18 7	322 1 8	138 3 0	156 15 1	313 5 0	1,106 3 4
Lighting	80 18 9	87 13 8	166 4 4	183 16 3	230 15 1	749 8 1
Scavenging	435 3 11	634 17 11	556 16 7	559 8 5	914 16 8	3,101 3 6
Watering Streets	82 9 2	25 16 0	31 9 0	82 12 0	20 6 9	242 12 11
Road Maintenance and Improvements	152 3 0	193 13 0	255 5 3	66 17 8	455 2 7	1,123 1 6
Footpaths and Kerbing ..	..	65 11 1	5 6 0	26 5 0	18 15 0	115 17 1
Drains, &c.	54 0 7	143 12 4	79 11 8	57 0 6	244 10 7	578 15 8
Temporary Stables	..	..	..	..	125 10 0	125 10 0
Tools	11 9 0	10 5 1	10 2 6	7 18 9	10 14 11	50 10 3
Kloof Dam Extension ..	..	..	..	..	496 0 9	496 0 9
Queen Victoria Mission School ..	..	..	..	..	20 14 0	20 14 0
Plague Account	..	..	..	..	1,828 4 8	1,828 4 8
Lazaretto	..	59 8 1	102 6 0	..	..	161 14 1
Repayment of Loan	..	400 0 0	29 11 2	60 18 0	63 7 3	553 16 5
Proceeds of Sale of Municipal Lands Expended	..	..	12 15 6	..	10 7 0	23 2 6
TOTAL ORDINARY PAYMENTS ..	1,347 8 1	2,328 6 2	2,062 19 3	2,008 1 6	6,700 18 6	14,447 13 6
Water Works.						
Water Service	61 17 10	70 19 4	255 19 0	249 10 4	338 12 0	976 18 6
TOTAL PAYMENTS, WATER WORKS	61 17 10	70 19 4	255 19 0	249 10 4	338 12 0	976 18 6
Loan Expenditure.						
New Reservoir	..	12,901 12 8	885 5 5	107 2 6	..	13,894 0 7
..	..	12,901 12 8	885 5 5	107 2 6	..	13,894 0 7
Drainage—Kloof	..	20 2 6	..	5 5 0	591 4 0	616 11 6
,, Goede Gift	..	27 10 0	630 11 3	59 9 0	323 11 4	1,041 1 7
,, Cole Point	..	..	..	5 5 0	..	5 5 0
Water Extension to Bellevue ..	..	..	235 2 0	250 16 2	25 0 0	510 18 2
Water Extension to Lane and Reservoir	..	..	..	13 0 0	..	13 0 0
Water Extension to Brook ..	..	..	..	4 4 0	..	4 4 0
Stables	..	..	..	16 15 6	50 0 0	66 15 6
..	..	47 12 6	865 13 3	354 14 8	989 15 4	2,257 15 9
TOTAL OF ALL PAYMENTS ..	1,409 5 11	15 348 10 8	4,069 16 11	2,719 9 0	8,029 5 10	31,576 8 4
Closing Balance	15 16 0	339 11 10	67 11 3	..	..	
GRAND TOTALS	1,425 1 11	15,688 2 6	4,137 8 2	2,719 9 0	8,596 17 9	31,576 8 4

APPENDIX A.

Divisional Council of the Cape.

Financial Abstract for the Five Years ended 30th June, 1901.

STATISTICS.	1896-7.	1897-8.	1898-9.	1899-1900.	1900-01.*
Valuation of Property Rated	£7,630,133 0 0	£9,284,339 0 0	£10,789,126 0 0	£10,789,126 0 0	‡£11,965,327 0 0
Rate per £ levied	0 0 1	0 0 1	0 0 1	0 0 $0\frac{3}{4}$	0 0 1
Amount of Rates remaining unpaid on 30th June	4,852 3 1	17,287 18 0	5,264 16 5	6,634 7 0	9,730 7 2

‡ Gross Revenue receivable, 1901, at 1d. in the £ (due 10th October, 1900).

Municipality.	Valuations *Inside Municipalities.*	Revenue receivable *Inside Municipalities.*	Municipality.	Valuation *Outside Municipalities.*	Revenue received *Outside Municipalities.*
Cape Town	£5,938,170	£24,742 7 6	Maitland Village Board	£106,889	£445 7 5
Green and Sea Point	891,709	3,715 9 1	Constantia	102,917	428 16 5
Woodstock	608,590	2,535 15 10	Diep River	73,142	304 15 2
Mowbray	749,427	3,122 12 3	Downs No. 1	97,967	408 3 11
Rondebosch	750,705	3,127 18 9	Palen and Rietvley	33,894	141 4 6
Claremont	1,172,566	4,885 13 10	Tygerberg and Kuils River	55,455	231 1 3
Wynberg	828,624	3,452 12 0	Downs No. 2	22,266	92 15 6
Kalk Bay	215,795	899 2 11	Koeberg No. 1	45,550	189 15 10
Simon's Town	128,351	534 15 11	Koeberg No. 2	47,090	196 4 2
			Blaauwberg	19,500	81 5 0
			D'Urban	58,265	242 15 5
			Noordhoek	10,475	43 12 11
			Elsjes River	2,205	9 3 9
			Wildschutsbrand	5,775	24 1 3
			Total Outside	£681,390	£2,839 2 6
Total in Municipalities	£11,283,937	£47,016 8 1	Grand Total	£11,965,327	£49,855 10 7

Opening Cash Balance..	284	15	4	9,066	13	7	15,454	8	10	.			..			..					
General Rates	29,850	19	6	26,249	10	5	12,023	1	5	32,352	5	5	46,759	10	5	147,235	7	2			
Tolls	8,288	7	6	8,875	12	3	7,743	18	5	7,981	9	6	7,967	16	8	40,857	4	4			
Refunds under Public Health Act	..			..			..			..			412	2	3	412	2	3			
Village Rates, Maitland	140	0	10	335	13	8	416	3	0	496	14	2	919	15	8	2,308	7	4			
Village Rates, Durbanville	..			121	9	7	133	15	0	156	16	8	185	18	9	598	0	0			
Contribution from Railway Department towards cost of Siding..	..			107	5	9	..			..			..			107	5	9			
Contribution from Military towards up-keep of Roads	..			..			..			..			675	18	10	675	18	10			
Other Sources..	682	17	3	1,137	16	10	1,782	19	10	1,073	13	8	† 1,687	1	1	6,364	8	8			
Total Receipts ..	38,962	5	1	36,827	8	6	22,099	17	8	42,060	19	5	58,608	3	8	198,558	14	4			
Closing Overdrawn Balance	..			..			6,860	13	10	1,207	3	6	..			..					

* Figures for financial year 1900-1901 *unaudited* by Controller and Auditor-General.
† Included £150 contribution from private individuals towards construction of Durbanville—Wessel's Hoek Road.

EXPENDITURE.

Heads of Expenditure.	1896-7.			1897-8.			1898-9.			1899-1900.			1900-01.*			Totals.		
Opening Overdrawn Balance	..			..			..			6,860	13	10	1,207	3	6	..		
Expenses of Valuation and Assessment	787	10	0	856	5	3	659	8	0	608	16	3	.			2,911	19	6
Salaries of Officers	1,715	4	7	1,419	5	0	1,270	16	8	1,621	10	0	2,084	6	8	8,111	2	11
Payments to Councillors	208	5	0	167	1	0	195	16	0	143	0	0	165	13	0	879	15	0
Maintenance of Main Roads and Dams thereon ..	19,528	9	7	18,150	19	5	22,143	9	6	18,310	17	11	17,980	18	8	96,114	15	1
Construction, Maintenance, and Improvement of Divisional Roads and Dams thereon	6,666	14	2	4,880	19	10	6,478	1	8	9,663	0	0	11,150	16	3	38,839	11	11
Interest	134	5	9	15	16	6	72	19	3	90	19	0	72	16	3	386	16	9
Share of Rates to Town Council	207	12	5	3,430	1	6	2,929	7	3	3,567	6	1	2,174	14	8	12,309	1	11
Village Rates, Maitland	19	9	2	450	18	2	436	10	6	425	13	6	987	4	2	2,319	15	6
Village Rates, Durbanville	..			114	10	0	6	19	7	275	11	8	204	5	5	601	6	8
Contribution, Sea Point Municipality	..			..			500	0	0	500	0	0	500	0	0	1,500	0	0
Expenditure under Public Health Act	..			..			..			199	14	1	1,215	9	11	1,415	4	0
Other Payments	912	16	2	953	16	7	†9,721	11	11	1,001	0	7	1,428	9	6	14,017	14	9
Total Expenditure ..	30,180	6	10	30,439	13	3	44,415	0	4	36,407	9	1	37,964	14	6	179,407	4	0
Closing Cash Balance	9,066	13	7	15,454	8	10	..			..			19,136	5	8	..		

*Figures for 1900-1901 *unaudited* by Controller and Auditor-General.

†Includes—Purchase of Offices .. £6,600 0 0
Transfer Duty .. 153 2 0
Bonus to late Secretary .. 500 0 0

	£	s.	d.
Opening Balance, 1st July, 1896..	284	15	4
Receipts to 30th June, 1901	198,558	14	4
	198,843	9	8
Payments to 30th June, 1901	179,407	4	0
Closing Balance, 30th June, 1901	£19,436	5	8

Control and Audit Office,
Cape Town, 4th April, 1901.

C. ABERCROMBIE SMITH,
Controller and Auditor-General.

Summary of Statements of Ordinary Revenue and Expenditure rendered by the Cape Peninsula Mu
and Payments of the Suburban Municip

	1897.	1898.	1899.	1900.	1901.	Totals.
Ordinary Revenue, exclusive of Receipts for Water or Electric Lighting.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s.
Cape Town	103,099 16 10	115,108 8 8	144,008 0 9	157,458 4 2	187,386 3 11	707,060 1
Green and Sea Point ..	5,723 17 3	12,813 17 4	11,438 6 9	13,401 18 3	16,206 7 5	59,584
Woodstock	5,816 9 9	8,338 5 10	9,941 13 1	28,392 14 1	18,342 4 8	70,831
Maitland	*486 19 0	*504 16 11	*656 1 9	*1,160 10 10	†708 11 3	3,517
Mowbray	4,518 15 0	4,975 2 6	6,585 4 2	7,610 3 10	8,016 11 10	31,705 1
Rondebosch	5,551 3 10	7,611 10 1	7,479 8 1	9,300 17 9	10,429 19 9	40,372 1
Claremont	8,885 14 0	10,827 6 6	13,741 15 11	11,555 15 0	15,615 8 7	60,626
Wynberg	2,642 18 6	6,682 10 5	8,052 16 6	9,212 5 5	10,536 4 10	37,126 1
	136,725 14 2	166,861 18 3	201,903 7 0	238,092 9 4	267,241 15 3	1,010,825
Water Supply Receipts.						
Cape Town	28,781 15 4	28,473 13 0	29,087 9 2	59,630 16 3	64,734 10 6	210,708
Woodstock	3,170 11 6	3,351 18 5	3,188 10 7	6,614 12 11	10,621 19 11	27,247 1
Mowbray	..	..	..	3,096 3 11	6,576 15 0	9,672 1
Rondebosch	..	..	..	3,096 3 11	6 576 15 0	9,672 1 1
Claremont	..	..	..	3,096 3 11	6,576 15 0	9,672 1 1
Wynberg	3,587 16 8	4,175 1 1	4,321 14 1	4,202 16 5	4,742 8 11	21,029 1
	35,540 3 6	36,000 12 6	36,897 13 10	79,736 17 4	99,829 4 4	288,004 1
Electric Lighting Receipts.						
Cape Town	12,238 6 11	16,412 4 1	22,038 1 3	28,618 7 2	33,278 5 9	112,585
Totals of the above.						
Cape Town	144,119 19 1	159,994 5 9	195,133 11 2	245,707 7 7	285,399 0 2	1,030,354
Green and Sea Point ..	5,723 17 3	12,813 17 4	11,438 6 9	13,401 18 3	16,206 7 5	59,584
Woodstock	8,987 1 3	11,690 4 3	13,430 3 8	35,007 7 0	28,964 4 7	98,079
Maitland	*486 19 0	*504 16 11	*656 1 9	*1,160 10 10	†708 14 3	3,517
Mowbray	4,518 15 0	4,975 2 6	6,585 4 2	10,706 7 9	14,593 6 10	41,378 1
Rondebosch	5,551 3 10	7,611 10 1	7,479 8 1	12,397 1 8	17,006 14 9	50,045 1
Claremont	8,885 14 0	10,827 6 6	13,741 15 11	14,651 18 11	22,192 3 7	70,298 1 1
Wynberg	6,230 15 2	10,857 11 6	12,374 10 7	13,415 1 10	15,278 13 9	58,156 1 1
	184,504 4 7	219,274 14 10	260,839 2 1	346,447 13 10	400 349 5 4	1,411,415
Ordinary Revenue.						
Kalk Bay	1,733 13 10	4,699 5 8	3,691 6 10	6,464 1 0	7,716 6 0	24,304 1
Simonstown	905 15 8	1.708 19 3	3,009 19 6	1,485 3 1	2.753 15 3	9,863 1
	2,639 9 6	6,408 4 11	6,701 6 4	7,949 4 1	10,470 1 3	34,168
Water Supply Receipts.						
Kalk Bay	..	..	..	473 6 6	1,092 10 10	1,565 1
Simonstown	367 9 3	458 16 1	475 2 2	587 2 9	711 18 6	2,600
	367 9 3	458 16 1	475 2 2	1,060 9 3	1,804 9 4	4,166
Totals of the above.						
Kalk Bay	1,733 13 10	4,699 5 8	3,691 6 10	6,937 7 6	8,808 16 10	25,870 1
Simonstown	1 273 4 11	2,167 15 4	3,485 1 8	2,072 5 10	3,465 13 9	12,464
	3,006 18 9	6,867 1 0	7,176 8 6	9,009 13 4	12,274 10 7	38,334 1
Divisional Council ‡ ..	38,962 5 1	36,827 8 6	22,099 17 8	42,060 19 5	58,608 3 8	198,558 1
Total Revenue ..	226 173 8 5	262,969 4 4	290,115 8 3	397,518 6 7	471,231 19 7	1,648,308

* For Twelve Mo
† For Five Month
‡ For the years en

(3). APPENDIX A.

...alities and the Divisional Council for the 5 Years ended 31st December, 1901 including Receipts ...aterworks during 1900 and 1901).

	1897.			1898.			1899.			1900.			1901.			Totals.		
...inary Expenditure exclusive of Payments re Water Supply (except cost of ...tering Streets) or Electric Lighting (except cost of Street Lamps).	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
...] Town	102,400	12	5	110,277	15	3	139,853	9	5	170,474	18	11	165,994	5	11	689,001	1	11
...n and Sea Point ..	6,972	12	4	10,442	8	5	11,416	14	10	13,668	15	7	20,470	15	0	62,971	6	2
...dstock	6,188	12	7	6,838	9	4	10,700	18	8	12,326	13	1	34,816	14	0	70,871	7	8
...aland	*486	14	6	*535	5	5	*782	17	6	*968	1	6	†345	19	3	3,118	18	2
...obray	5,220	2	8	7,749	19	9	6,666	15	10	9,017	4	1	11,902	1	4	40,556	3	8
...olebosch	6,159	10	4	8,248	11	8	7,526	4	8	9,456	2	7	10,631	12	2	42,022	1	5
...emont . ..	10,790	0	3	10,747	15	9	11,416	16	11	11,987	1	4	17,509	9	5	62,451	3	8
...berg	5,367	15	11	7,865	2	1	6,903	8	11	9,285	12	9	15,035	1	9	44,457	1	5
	143,586	1	0	162,705	7	8	195,267	6	9	237,184	9	10	276,705	18	10	1,015.449	4	1
...ater Supply Payments.																		
...a) Town	25,498	8	2	25,867	12	6	33,396	4	4	51,867	3	10	64,734	10	6	201,363	19	4
...dstock	3,551	19	1	3,672	17	8	4,212	10	11	7,581	9	2	11,008	9	4	30,027	6	2
...obray	..			..			..			2,361	14	9	5,226	14	0	7,588	8	9
...olebosch	..			..			..			2,361	14	10	5,226	13	11	7,588	8	9
...emont	..			..			..			2,361	14	10	5,226	14	0	7,588	8	10
...berg	3,273	9	3	3,672	15	3	3,946	5	10	4,881	3	7	5,138	11	8	20,912	5	7
	32,323	16	6	33,213	5	5	41,555	1	1	71,415	1	0	96,561	13	5	275,068	17	5
...ctric Lighting Payments.																		
...a) Town	10,947	14	9	16,079	10	5	20,212	15	11	28,618	7	2	33,278	5	9	109,136	14	0
Totals of the above.																		
...a) Town	138,846	15	4	152,224	18	2	193,462	9	8	250,960	9	11	264,007	2	2	999,501	15	3
...n and Sea Point ..	6,972	12	4	10,442	8	5	11,416	14	10	13,668	15	7	20,470	15	0	62,971	6	2
...dstock	9,740	11	8	10,511	7	0	14,913	9	7	19,908	2	3	45,825	3	4	100,898	13	10
...aland	*486	14	6	*535	5	5	*782	17	6	*968	1	6	†345	19	3	3,118	18	2
...obray	5,220	2	8	7,749	19	9	6,666	15	10	11,378	18	10	17,128	15	4	48,144	12	5
...olebosch	6,159	10	4	8,248	11	8	7,526	4	8	11,817	17	5	15,858	6	1	49,610	10	2
...emont	10,790	0	3	10,747	15	9	11,416	16	11	14,348	16	2	22,736	3	5	70,039	12	6
...berg	8,641	5	2	11,537	17	4	10,849	14	9	14,166	16	4	20,173	13	5	65,369	7	0
	186,857	12	3	211,998	3	6	257,035	3	9	337,217	18	0	406,545	18	0	1,399,654	15	6
...rdinary Expenditure.																		
...e Bay	1,387	17	7	2,564	10	6	2,592	1	5	5,851	8	5	9,304	19	7	21,700	17	6
...nstown	1,347	8	1	2,328	6	2	2,062	19	3	2,008	1	6	6,700	18	6	14,447	13	6
	2,735	5	8	4,892	16	8	4,655	0	8	7,859	9	11	16,005	18	1	36,148	11	0
...ater Supply Payments.																		
...e Bay	..			..			..			93	2	11	219	7	4	312	10	3
...nstown	61	17	10	70	19	4	255	19	0	249	10	4	338	12	0	976	18	6
	61	17	10	70	19	4	255	19	0	342	13	3	557	19	4	1,289	8	9
Totals of the above.																		
...e Bay	1,387	17	7	2,564	10	6	2,592	1	5	5 944	11	4	9,524	6	11	22,013	7	9
...nstown .. .	1,409	5	11	2,399	5	6	2,318	18	3	2,257	11	10	7,039	10	6	15,424	12	0
	2,797	3	6	4,963	16	0	4,910	19	8	8,202	3	2	16,563	17	5	37,437	19	9
...sional Council‡ .	30,180	6	10	30,439	13	3	44,415	0	4	36,407	9	1	37,964	14	6	179,407	4	0
...otal Expenditure ..	219,835	2	7	247,401	12	9	306,361	3	9	381,827	10	3	461,074	9	11	1,616,499	19	3

...ded 31st July in each year.
...d 31st December, 1901.
...h June in each year.

Summary of the Statements of Ordinary Revenue and Expenditure (Exclusive of Water Suppl

	Cape Town.	Green and Sea Point.	Woodstock.	Maitland. (Five months only.)	Mowbray.
Receipts.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Fire Brigade	1,039 8 11	..	..	..	..
Rates: Owners'	138,295 7 10	13,346 12 4	10,712 13 5	579 3 3	5,656 15 7
,, Tenants'	..	..	..	..	1,201 3 0
Taxes: Dog, &c.	415 10 0	136 10 0	82 12 6	35 10 0	81 5 0
Licences and Fees	1,538 1 8	..	70 0 7	75 18 6	3 3 0
Fines	4,812 9 0	110 10 0	361 7 6	14 2 6	107 7 6
Rents (including Hall Revenue, Wayleaves, &c.)	4,568 9 5	113 4 6	249 0 6	4 0 0	158 16 1
Interest	81 6 11	..	..	..	..
Tree Planting and Public Gardens	409 14 2	..	..	..	..
Sales: Land	..	..	399 16 4	..	..
,, Other (Sand, Stone, Timber, Salt Water, &c.)	761 15 9	7 16 0	2,523 2 0	..	8 2 3
Markets	7,517 7 10	..	..	..	..
Contributions from Government	..	681 12 4	..	..	..
Do. Infectious Diseases	3,060 17 5	903 1 10	3,693 12 11	..	450 2 5
Sanitary Removals: Nightsoil	450 0 0	74 0 0	..	..	299 12 0
,, Slops	..	..	..	..	..
,, Refuse	1,100 8 0	..	..	..	..
Washhouses	..	..	..	..	..
Miscellaneous	1,035 13 0	96 13 9	249 18 11	..	8 8 9
Contributions and Receipts:—					
Drainage and Sewerage	..	..	..	..	..
Water	..	..	..	..	..
Special Rates and Contributions, Road Construction and Repairs:—					
From Divisional Council	2,299 14 0	500 0 0	..	..	..
From other Sources	..	236 6 8	..	..	38 16 3
Part repayment by Waterworks of amount spent out of General Revenue	20,000 0 0	..	..	..	..
	187,386 3 11	16,206 7 5	18,342 4 8	708 14 3	8,016 11 10
Payments.					
Fire Brigade	6,997 9 9	..	..	..	45 14 6
Annuities	102 0 0	..	..	..	..
Establishment: Clerical and Accounting	8,237 4 2	790 14 0	1,578 1 8	..	424 3 4
Establishment: Engineers	1,486 19 11	1,103 18 0	978 9 7	..	337 0 0
,, Public Health	3,778 0 4	50 0 0	816 0 0	..	320 0 0
Rent	..	..	..	..	..
Markets	4,362 2 6	..	..	..	..
Streets and Roads: Scavenging	(a) 32,045 7 8	1,438 10 10	..	..	1,692 16 10
,, Watering	1,671 6 0	606 7 6	..	..	100 7 7
,, Lighting	5,004 18 2	713 17 4	1,048 2 0	..	1,108 7 5
,, Construction, Repairs and Maintenance	31,847 7 7	2,965 8 6	757 15 9	..	918 7 10
Miscellaneous: Works, Sewerage, Drainage, &c.	24,390 8 5	541 3 2	375 5 9	(e) 146 6 5	..
Removals: Night-soil and Sewerage	..	..	..	..	..
,, Slops	..	..	..	..	1,152 3 6
,, Refuse	..	2,928 4 9	..	..	..
Purchase of Land, Quarries, &c.	..	..	(b) 6,873 7 10	..	..
Contributions to Public Institutions, Hospitals, &c.	700 0 0	..	..	..	..
Public Functions, Charity, Town Guards, &c.	6,418 19 4	950 17 9	100 0 0	..	399 0 6
Election and Polling Expenses	702 1 2	29 10 2	78 18 6	..	16 0 0
Valuation Expenses	921 7 1	29 3 4	150 0 0	..	65 0 0
Stables and Cart-hire	2,601 2 5	323 3 4	2,989 12 2	..	1,635 18 4
Infectious Diseases	1,215 12 2	1,350 6 1	5,570 6 11	..	860 1 11
Police	..	1,535 15 1	301 8 5	..	306 7 6
Repayment of Loans	2,447 0 0	..	..	..	..
Interest on Loans	19,775 10 0	3,268 15 9	2,178 2 8	..	1,747 10 5
Interest on Bank Overdraft	3,845 6 8	4 12 9	..	0 4 6	114 11 0
Miscellaneous	2,818 14 1	863 11 7	1,515 8 3	11 7 9	622 7 5
Plant and Live-stock: Renewals and Depreciation	..	911 5 1	1,706 2 3	..	..
Wash-houses	..	..	..	..	36 3 3
Public Gardens and Tree Planting	4,625 8 6	65 10 0	..	..	..
Wages (not allocated to any particular Services)	..	..	7,799 12 3	188 0 7	..
	165,994 5 11	20,470 15 0	34,816 14 0	345 19 3	11,902 1 4

NOTE.—* Cape Town shews Receipts amounting to £242 2

(a) Includes cost of removal of House Refuse.
(b) Includes £6,786 0s. 10d., *re* purchase of Oliph
(c) Consists of expenditure on Roads, Public Wor
(d) The Sanitary Inspector is also the Road Inspect
(e) Includes Street Scavenging.
(f) Salary of Waterworks Engineer charged und
(g) Includes removal of Slops.

and Electric Lighting) rendered by the Cape Peninsula Municipalities for the Year 1901.

Rondebosch.			Claremont.			Wynberg.			Total.			Kalk Bay.			Simon's Town.			Total.		
£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
32	15	6	..			31	3	0	1,103	7	5	..						..		
6,026	0	7	9,947	1	3	7,178	12	4	191,742	6	7	3,337	19	2	1,190	8	10	4,528	8	0
1,110	2	2	1,934	8	7	1,183	19	10	5,432	13	7	..			..			..		
116	10	0	148	2	0	214	0	0	1,229	19	6	21	5	0	55	7	6	76	12	6
19	13	0	104	7	9	73	16	4	1,885	0	10	172	12	2	45	16	8	218	8	10
55	4	0	169	19	0	239	16	0	5,870	15	6	101	7	2	40	1	0	141	8	2
445	10	2	184	14	0	246	14	9	5,970	9	5	48	0	0	58	17	10	106	17	10
..			..			..			81	6	11	..			..			..		
6	5	0	..			..			415	19	2	..			..			..		
..			360	7	10	..			760	4	2	2,852	10	0	..			2,852	10	0
229	2	0	27	14	6	133	16	0	3,691	8	6	..			..			..		
..			..			..			7,517	7	10	..			..			..		
..			218	5	4	..			899	17	8	..			..			..		
816	19	7	802	13	11	507	2	11	10,234	11	0	..			629	3	6	629	3	6
1,138	14	9	1,022	0	7	..			2,984	7	4	1,182	12	6	344	3	7	1,526	16	1
8	12	9	..			239	16	10	248	9	7	..			..			..		
4	12	7	..			..			1,105	0	7	..			67	0	0	67	0	0
96	4	9	179	14	0	..			*275	18	9	..			..			..		
128	3	3	176	12	4	289	8	6	1,984	18	6	..			168	11	3	168	11	3
31	17	9	..			..			31	17	9	..			91	2	6	91	2	6
..			..			..			..			..			13	2	7	13	2	7
..			..						2,799	14	0	..			50	0	0	50	0	0
163	11	11	339	7	6	197	18	4	976	0	8	..			..			..		
..			..			..			..			..			..			..		
10,429	19	9	15,615	8	7	10,536	4	10	267,241	15	3	7,716	6	0	2,753	15	3	10,470	1	3
39	9	3	..			116	5	6	7,198	19	0	..			..					
			..			..			102	0	0	..			..					
560	0	0	654	0	0	488	6	7	12,732	9	9	507	17	0	250	17	0	758	14	0
75	0	0	376	15	6	(*f*) 266	13	4	4,624	16	4	90	0	0	223	5	0	313	5	0
(*d*) 265	0	0	313	19	5	338	16	9	5,881	16	6	200	0	0	149	0	0	349	0	0
..			72	0	0	6	18	3	78	18	3	57	0	0	..			57	0	0
..			..			..			4,362	2	6	..			..					
..			519	11	2	(*g*) 1,613	14	9	37,310	1	3	150	0	0	(*g*) 914	16	8	1,064	16	8
471	0	7	547	8	7	305	5	11	3,701	16	2	86	8	7	20	6	9	106	15	4
680	18	8	1,239	2	3	1,325	12	7	11,120	18	5	126	13	0	230	15	1	357	8	1
2,076	8	4	1,855	16	7	2,952	17	6	43,374	2	1	190	1	1	473	17	7	663	18	8
9	16	3	158	3	8	1,214	18	2	26,836	1	10	2,734	10	2	1,743	13	6	4,478	3	8
849	9	2	1,602	1	8	(*a*) 3,977	3	6	6,428	14	4	564	3	0	313	5	0	877	8	0
723	13	6	1,005	2	4	..			2,880	19	4	660	0	0	..			660	0	0
(*e*) 604	16	0	776	13	6				4,309	14	3	544	0	0	..			544	0	0
..			378	14	10	..			7,252	2	8	..			..			..		
..			25	0	0	24	2	3	749	2	3	..			..			..		
170	10	7	778	1	10	200	0	0	9,017	10	0	240	14	4	..			240	14	4
..			40	19	1	..			867	8	11	..			0	2	6	0	2	6
85	0	0	114	17	6	30	18	9	1,396	6	8	26	19	0	..			26	19	0
..			1,025	15	11	143	19	8	8,719	11	10	167	0	0	..			167	0	0
676	0	6	1,020	18	0	572	14	10	11,266	0	5	547	1	8	1,828	4	8	2,375	6	4
227	12	8	909	0	10	319	6	2	3 599	10	8	72	1	9	..			72	1	9
195	4	6	449	10	11	..			3,091	15	5	..			63	7	3	63	7	3
1,513	12	10	1,096	18	8	(*h*) 297	0	10	29,877	11	2	1,286	16	10	142	8	7	1,429	5	5
34	1	6	161	5	0	221	7	6	4,381	8	11	..			26	14	2	26	14	2
899	2	11	1,030	16	11	618	18	11	8,380	12	4	636	13	0	309	9	10	946	2	10
100	0	0	1,151	2	3	..			3,868	5	1	411	10	2	10	14	11	422	5	1
211	2	11	205	13	0	..			452	19	2	5	10	0	..			5	10	0
163	12	0	..			..			4,854	10	6	..			..			..		
..			..			..			7,987	12	10	..			..			..		
10,631	12	2	17,509	9	5	15,035	1	9	£276,705	18	10	£9,304	19	7	6,700	18	6	16,005	18	1

but the amount is included in the Water Receipts.

Hoek.
Stables, and General Supplies, particulars unobtainable.

Water Supply.

Water Supply.

WATER CONSUMED BY TABLE BAY HARBOUR BOARD.

Handed in by Mr. HAMMERSLEY-HEENAN, 10*th April*, 1902.

From January, 1897, to December, 1901.

(Five Years).

Quarter ending	For Shipping Purposes.			For other Purposes.		
	Gals.	Tons.	£ s. d.	Gals.	£ s. d.	
31st March, 1897 ..	3,994,200	19,971	998 11 0	7,731,800	317 14 10	
30th June, 1897 ..	3,882,200	19,411	970 11 0	6,710,800	276 10 10	
30th September, 1897.	3,422,000	17,110	855 10 0	10,106,000	411 18 7	
31st December, 1897..	4,243,400	21,217	1,060 17 0	10,831,600	441 10 0	
31st March, 1898 ..	3,966,800	19,834	991 14 0	9,558,200	398 5 0	
30th June, 1898 ..	3,601,000	18,005	900 5 0	11,094,000	457 3 5	
30th September, 1898.	4,072,200	20,361	1,018 1 0	5,306,800	216 6 2	
31st December, 1898..	4,577,600	22,888	1,144 8 0	5,336,400	217 10 0	
31st March, 1899 ..	4,726,600	23,633	1,181 13 0	6,896,400	287 6 11	
30th June, 1899 ..	4,070,600	20,353	1,017 13 0	6,392,400	263 8 6	
30th September, 1899.	3,249,200	16,246	812 6 0	6,947,800	283 4 0	
31st December, 1899..	9,561,100	47,805½	2,390 5 6	7,213,900	294 0 11	
31st March, 1900 ..	14,672,600	73,363	3,668 3 0	7,854,400	327 5 8	
30th June, 1900 ..	14,984,500	74,922½	8,740 16 10	4,257,700	281 18 1	
30th September, 1900.	10,775,250	53,876¼	6,285 11 3	9,399,750	622 7 0	
31st December, 1900..	10,201,700	51,008½	5,950 19 10	6,596,300	436 14 10	
31st March, 1901 ..	10,513,500	52,567½	5,256 15 0	8,737,500	538 12 3	
30th June, 1901 ..	11,175,800	55,879	5,587 18 0	10,133,000	624 12 10	
30th September, 1901.	10,894,500	54,472½	5,447 5 0	11,627,900	716 15 8	
31st December, 1901..	10,118,600	50,593	5,059 6 0	14,016,100	864 0 1	
	146,703,350	733,516¾	59,338 9 5	166,748,750	8,277 5 7	

Average per annum—Gallons, 29,340,670 Gallons, 33,349,750

	Tons.		Gals.	£ s. d.	
Shipping	733,516¾	=	146,703,350	59,338 9 5	
Other purposes	..	..	166,748,750	8,277 5 7	
Total ..			313,452,100	67,615 14 2	10

Average per annum for all purposes—Gallons, 62,690,420.

APPENDIX C.

REPORT BY MR. THOMAS STEWART, M.I.C.E., ON STEENBRAS RIVER WATER SUPPLY SCHEME.

(Put in by Mr. TONKIN, 14*th April*, 1902.*)*

St. George's Chambers, Cape Town.
13th March, 1899.

STEENBRAZEMS RIVER WATER SUPPLY SCHEME.

Report to the Municipal Councils of Rondebosch and Mowbray on the feasibility and cost of obtaining water from the Steenbrazems River.—Thomas Stewart, M. Inst. C.E.

General Description.—The Steenbrazems River valley is about 39 miles from Cape Town measured by the Main Road to Caledon. The valley is bounded on the North-West side by a narrow range of mountains which forms a branch of the main chain of the Hottentots Holland Mountains, and then northward to the high mountains known as the Sneeuwkop, completely cutting off the Steenbrazems valley from the low ground which lies to the north of Gordon's Bay; the boundary at the north-east end, or top, of the valley is the watershed line between the Steenbrazems River and the Grietjes Gat River, a tributary of the Palmiet River; and the boundary on the south-east side is formed by the range of mountains which divides the Steenbrazems valley from the Palmiet valley and of which Kogel Berg at the southern end is the most conspicuous landmark. The direction of the Steenbrazems valley is almost north-east to south-west. The length of the valley from the upper end to the sea is about 10 miles. Starting from the north-east, or upper end, of the catchment area the height above sea level is about 1,400 feet. The ground gradually slopes from this watershed until at a distance of about 3 miles further down the valley, almost opposite the summit of Sir Lowry's Pass, it is not more than 1,150 feet, thence for a distance of about four miles the fall is only 60 feet. At this point the valley spreads out into a basin-shaped plain, well adapted for the storage of water.

About three-quarters of a mile further down, the river is augmented by a stream from Kogel Berg, and thereafter it falls more rapidly until at a point having an elevation of about 1,040 feet above the sea it descends by a waterfall into a narrow gorge by which it ultimately finds its way into the sea about two miles distant.

The point where the river leaves the basin and enters the gorge is that recommended by me, further on in this report, as offering the most suitable site for a dam.

I have had the catchment area above the proposed site for the dam surveyed, and I find that it extends to twenty-three and a half square miles.

Geologically the whole of the catchment area of the Steenbrazems River and its tributaries is occupied by sandstone and shale belonging to the Table Mountain sandstone formation. The strata have been much disturbed since they were originally laid down and now appear broken, cleaved and highly inclined; in some instances, as in the range which divides the valley from the low country near Gordon's Bay, they stand quite vertical.

I have carefully examined the strata where these are shown in the stream beds and ravines, as well as on the steep slopes above Gordon's Bay, and I am of opinion that they can be relied upon to afford the necessary water tightness to the reservoir.

The surface features of the Steenbrazems catchment area on the left side of the stream consist principally of low rounded promontories and steep rocky slopes and on the right side of the stream of a narrow slope about four miles long surmounted with a steep rocky crest.

The Steenbrazems River is very sluggish, and contains numerous pools or lagoons. The banks are composed of peat and black earth, and they are covered with thick fringes of Palmiet, which give a deep brown colour to the water. The Kogel Berg stream, on the contrary, is a swift flowing stream, and its banks are quite free from Palmiet, and consequently the water is much clearer and brighter. If subsequent investigation should prove chat the Kogel stream alone is capable of yielding all the water required, it may be worth considering whether the water of the Steenbrazems River proper should not be excluded from the reservoir, at any rate in summer.

Quantity of water available.—Immediately on my receiving authority to proceed with the necessary investigation of the scheme, steps were taken to erect two measuring gauges:—One in the Steenbrazems River about 1,040 feet above the sea, near what appeared to be the most suitable site for a dam, and one in the Kogel Berg stream some distance above where it joins the Steenbrazems River. The erection of the gauge in the Steenbrazems River was completed on the 2nd February, and the erection of that in the Kogel Berg stream on the 16th of the same month. The results obtained from these gauges are shewn on Annexure A.

It will be seen that on the 3rd of February, the day on which the first gaugings were obtained from the Steenbrazems gauge, the flow was 3,730,000 gallons per 24 hours. Again, on the 20th February, by which time the Kogel stream gauge was in use, a flow equal to 1,140,000 gallons per 24 hours was obtained in the Kogel Berg stream, while the gauge in the Steenbrazems River which was observed about the same hour, showed only a small increase.

As no rain fell in the main valley it is evident that the small increase registered on the Steenbrazems gauge came from the Kogel Berg stream, and that the whole increase had not reached the former when the reading on the gauge was taken.

These results prove that the Kogel stream is frequently replenished by rains which do not extend to the Steenbrazems River itself, or if they do, they are too light to add to the volume of the stream. It may therefore be concluded that the Kogel Berg tributary is comparatively more valuable in the summer time than the main stream.

The total quantity of water which has flowed off the catchment area of 23½ square miles since the 3rd February is 30,850,000 gallons.

The flow of the river at present has fallen to 300,000 gallons per 24 hours.

The present season has been specially favourable for the springs and mountain streams of the Peninsula, and I have no doubt that the Steenbrazem's River and its tributaries have benefited to some extent also.

It is extremely probable that had the present dry season been as dry as the season of 1894-5, 1895-6, and 1896-7, the quantity of water which would have run off would have been considerably less.

It is evident from the gaugings that the natural flow of the Steenbrazems River in summer cannot be depended upon to yield an adequate or reliable supply, therefore recourse must be had to storing the rainfall.

There are no statistics available for the Steenbrazems Valley, because until last month no rain gauges had been in use, therefore the rainfall must be estimated from an examination of the returns from stations where the climatic and physical conditions are similar to those of the Steenbrazems Valley. Annexure B. gives the returns for the six wet months and the six dry months at four stations in the Peninsula, and at Somerset West and Houw Hoek, two stations in the neighbourhood of the Steenbrazems Valley.

Somerset West is 950 feet below the lowest portion of the catchment area of the Steenbrazems Valley, and six miles distant. Houw Hoek is 90 feet below and 15 miles distant. Except that the wet months at these stations agree with the wet months at the stations in the Peninsula, there is nothing in the returns from these stations which is applicable to the Steenbrazems Valley. The bare precipitous slope of the Steenbrazems catchment area furrowed by numerous watercourses, the state of the ground after rains, the size and conditions of the river bed, and the extent to which the stream like that from the Kogel Berg is increased by mist and light rains, all indicate the conditions in the Steenbrazems catchment area are closely allied to those which prevail on Table Mountain and the mountainous portions of the Cape Peninsula.

Taking the three driest consecutive years in the Peninsula since 1881 (the year on which the first rain gauge was erected on Table Mountain) viz.: 1894, 1895, and 1896, the annual amount registered at the following stations were :—

	1894.	1895.	1896.
Table Mountain Waai-Kopje Gauge	54·35	58·77	52·76
Wynberg Reservoirs	47·39	49·48	38 89
Tokai	38·17	35·11	——
Simon's Town	22·04	20·47	23·57

The quantities which fell during the six "wet" months and the six "dry" months of these years were as follows :—

SIX WET MONTHS.

	1894.	1895.	1896.
Table Mountain Waai-Kopje Gauge	37·77	43·47	37·13
Wynberg Reservoir	34·50	37·83	25·26
Tokai	26·91	26·99	19·68
Simon's Town	15·05	14·79	15·39

SIX DRY MONTHS.

	1894-5.	1895-6.	1896-7.
Table Mountain Waai-Kopje Gauge	16·15	19·74	13·80
Wynberg Reservoir	12·47	17·13	11·22
Tokai	10·70	——	6·59
Simon's Town	7·36	8·43	7·60

The proportion of the rainfall which ran off the catchment area of the Table Mountain Reservoir during these years was carefully observed. It was found to vary greatly with the character of the fall and length of time which elapsed between two rains, but taking the ratio of the discharge to the whole of the rainfall for each of the "wet" periods of the dry years they were found to agree very closely. Judging from the results so obtained, I

have no hesitation in stating that at least three-fifths of the rainfall in the Steenbrazems valley will be available during the months of April, May, June, July, August and September of the years like 1894, 1895 and 1896.

Consequently, taking the catchment area at 23½ square miles and the average rainfall at approximately 30 inches for the six "wet" months, the total amount of water which will run off may be put at 6,000,000,000 gallons.

Quantity of Water to be Provided.—One of the most important questions to be decided by the Municipal Councils concerned before any works can be designed is the quantity of water to be provided in the first instance.

I understand that the present population of the united Municipalities is about 14,000. Allowing for an increase of 6,000, which will bring the population up to 20,000, I am of opinion that a supply of 600,000 gallons per twenty-four hours will be ample for such a population. This quantity of water could be easily supplied for several years to come from the existing sources of Cape Town and Wynberg, consequently, unless the Rondebosch and Mowbray Councils have in view the inauguration of a scheme which can ultimately be extended so as to provide for a large supply in future when the local sources are exhausted, I consider there is no occasion to go to such a distant source as the Steenbrazems River.

The total consumption of Cape Town and Southern Suburbs at present is between three and a quarter and three and a half millions per day. In ten or twelve years hence the demand for water will probably be somewhat in excess of double of what it is now—say eight million gallons a day. Cape Town and Wynberg can meet all the increase which they will require up to the end of that period from their existing sources, but it may be accepted beyond question that the other suburbs cannot. Any scheme, therefore, entitled to their consideration should enable them to procure in the first instance not less than two millions per day, and be so arranged as to afford means for large subsequent extensions.

If, before any works are started, a definite understanding is arrived at whereby the other public bodies in the district, including the Corporation of Cape Town, agree to join in the project at some future date, then I would recommend as an alternative that the supply in the first instance be four millions per day, and that, as before, there be means for a large extension.

Storage capacity of Reservoir.—The site of the storage reservoir is shewn on drawings Nos. 1 and 2. In attempting to fix the boundaries of the farm diagrams I found that there was much doubt as regards their positions, and that it would take too long to make the surveys necessary to enable the correct boundaries to be determined. My survey is, therefore, confined to the correct surveying and levelling of the topographical features and to contouring the valley for a height of 80 feet above the proposed outlet, or 1,130 feet above sea level. The following table gives the capacity of the reservoir at different heights :—

Above sea level at Cape Town.	Above Stream.	Contents in Gallons.	Area in Acres.
1,080 ft.	40 ft.	225,000,000	82
1,090 ft.	50 ft.	645,000,000	227
1,100 ft.	60 ft.	1,408,000,000	334
1,110 ft.	70 ft.	2,498,000,000	467
1,120 ft.	80 ft.	4,016,000,000	648
1,130 ft.	90 ft.	6,000,000,000	827

General Features of Proposed Works.—As the works embraced in the alternative schemes referred to above only differ in magnitude and details of construction, it will be convenient to give the general features before dealing with the capacity and cost of each :—

The dam for impounding the water in the reservoir will be built of masonry in cement mortar. The foundations will be carried into the rock in the bottom, and at both ends until a reliable water-tight foundation is reached. From the pits already sunk this appears to be at a depth of 12 feet. The dam will be capable of impounding the quantity of water required for consumption, together with that which will be required to make good the loss by evaporation and percolation.

The water for use in the suburbs will be drawn off by an outlet tower with sluice valves for draining off the water at various heights, thence the water will be led by means of a tunnel through the dividing mountain range to a point about a mile south of the hamlet of Gordon's Bay, and from the mouth of the tunnel the water will be led in a comparatively small pipe to a break pressure tank situated at a level of about 600 feet above sea level, thence in a much larger and stronger pipe *via* Somerset West Strand, the Main Road, *via* the Railway Station to where the public road crosses the Eerste River : from this point the main pipe will be laid in as direct a line as possible, or as may be arranged, across the flats to a point on the slopes above Rondebosch or Mowbray.

At the Rondebosch end there will be filter beds and a service reservoir, placed at an elevation of about 360 feet, capable of dealing with the quantity of water which the main is designed to deliver.

The smaller scheme of supply, as already stated, should be capable of yielding two million gallons per 24 hours. The capacity of the reservoir to supply this throughout the dry season together with the necessary surplus for contingencies should be 370 million gallons.

The dam will be 48 feet high measured from the bed of the stream, and 228 yards long. The dam should be made broad enough at the base to enable it to be raised so as to store the necessary quantity to yield at least 4 million gallons per day. The quantity of masonry in it is much increased thereby and consequently the cost, but it would be sheer waste of money to construct the dam of a less section.

The outlet works and tunnel will be about the same dimensions whatever the capacity of the works.

The pipes will be 18 inches in internal diameter. This will not allow a large margin for corrosion, but as the demand will have exceeded the carrying capacity of the pipes by the time it becomes materially corroded, a duplicate main will be required, consequently a large margin need not be given in the first instance. The cost of the works will be :—

Reservoir, dam and outlet works	£80,400
Main line	180,200
Filter beds and Service reservoir	27,000
Engineering and contingencies	28,700
	£316,300

Say—£320,000.

The alternative scheme of supply is simply an extension of the dam provided in the preceding one, so as to enable it to impound 900 million gallons, equal to a supply of four million gallons per day throughout the dry season, the substitution of a 24 inch main in place of the 18 inch main, and a corresponding increase in the filter beds and service reservoir.

The dam will be 57 feet high and 230 yards long.

The cost of the works will be :—

Reservoir, dam and outlet works	£85,600
Main line	293,100
Filter beds and service reservoir	43,000
Engineering and contingencies	42,100
	£463,800

Say—£465,000.

If before the works are begun it is clearly established that the other public bodies are prepared to join in a general scheme of fairly ample dimensions, then I would recommend that the base of the dam be made wide enough, in the first instance, to admit of its being raised so as to cope with all the water available in a dry year. Until statistics are obtained throughout the whole of a wet season it is impossible, however, for me to arrive at what this height should be, and therefore an estimate would be mere guess work.

The estimates do not include the cost of land, way-leaves, legal or Parliamentary expenses.

The principal items constituting the work embraced in the scheme are the rock excavation for the dam, the masonry in the dam itself, the driving of the tunnel, the cast iron pipes and the laying and jointing of the same. The pits already sunk shew that the excavation must be taken to a depth of 12 feet below the surface in order to secure a reliable and watertight foundation. It may be that on sinking additional pits, bad places will be met with, but as no evidence of these has been obtained so far, I have not estimated for them. In estimating the cost of the masonry in the dam I have taken cement at 8s. per cask free on board in England and cast iron pipes at £7 10s. per Colonial ton delivered on the ground. These prices are slightly in excess of those prevailing at present, but, as cement and cast iron pipes have risen considerably during the last few years, and as it is impossible to say whether they will continue to rise or not, it is desirable to give a margin.

Recommendation.—I am of the opinion that the Steenbrazems Valley offers a good source for obtaining a large supply of water, that a scheme is quite feasible, and that the cost of the water will be comparatively moderate provided that the land can be obtained at a reasonable cost, and that provision is made for storing, conveying and disposing of not less than two million gallons a day.

In the event of the project being adopted I have of course assumed that the Municipal Councils concerned become the proprietors by agreement or arbitration of all the land within the catchment area, and that effectual measures will be taken to secure the prevention from pollution by the grazing of cattle or otherwise.

(Signed) THOMAS STEWART, M.Inst. C.E.

COPY.

12, Wale Street,
13th March, 1899.

THOMAS STEWART, Esq., C.E.,
Cape Town.

DEAR SIR,

In accordance with instructions received from you I have connected the proposed dam on the Steenbras River with the boundary of the farm owned by Mr. Stanford. Particulars of this connection are shown on the accompanying tracing marked "A."

To the best of my knowledge and belief I consider such proposed dam to be entirely on Crown Land, as shown by my survey, and that Kogel Bay farm does not extend eastward of the range of high barren hills as shown on tracing.

Yours faithfully,

(Signed) T. NISBET ROBERTS,
Government Land Surveyor.

ANNEXURE A.

STEENBRAZEMS RIVER WATER SUPPLY SCHEME.

GAUGING OF STREAMS.
GAUGINGS IN GALLONS PER 24 HOURS.

Date, 1899.	Steenbrazems River.	Kogel Stream, tributary of Steenbrazems River. Quantity included in flow of Steenbrazems River.
3rd February	3,730,000	..
4th ,,	2,790,000	..
5th ,,	1,670,000	..
6th ,,	1,670,000	..
7th ,,	2,138,000	..
8th ,,	1,730,000	..
9th ,,	1,462,000	..
10th ,,	1,130,000	..
11th ,,	968,000	..
12th ,,	832,000	..
13th ,,	740,000	..
14th ,,	696,000	..
15th ,,	656,000	..
16th ,,	616,000	..
17th ,,	580,000	244,000
18th ,,	580,000	254,000
19th ,,	580,000	298,000
20th ,,	968,000	1,140,000
21st ,,	968,000	748,000
22nd ,,	696,000	484,000
23rd ,,	596,000	236,000
24th ,,	408,000	204,000
25th ,,	380,000	204,000
26th ,,	352,000	204,000
27th ,,	352,000	204,000
28th ,,	328,000	190,000
1st March	328,000	164,000
2nd ,,	284,000	138,000
3rd ,,	264,000	138,000
4th ,,	328,000	228,000
5th ,,	328,000	190,000
6th ,,	300,000	164,000
7th ,,	272,000	150,000
8th ,,	252,000	138,000
9th ,,	272,000	176,000
10th ,,	300,000	176,000
11th ,,	300,000	176,000

Note.—On the 20th February rain of the previous night had increased the flow of the Kogel Stream. This increased flow had not reached the Steenbras River gauge when observations were taken,

ANNEXURE B.

STEENBRAZEMS RIVER WATER SUPPLY SCHEME.

Summary of Rainfall at four Stations in the Cape Peninsula and two Stations in the neighbourhood of the Steenbrazems Valley during the six wet months.

April, May, June, July, August, September.

Year.	T. M. Res.	Wynberg.	Tokai.	Simon's Town.	Houw Hoek.	Somerset West.
1881	..	..	..	22·39	..	19·53
1882	42·44	..	..	20·81	..	14·60
1883	50·60	..	..	30·65	..	20·03
1884	39·74	..	..	25·86	..	18·66
1885	43·78	..	..	20·83	..	19·35
1886	36·40	..	23·48	20·46	..	..
1887	33·67	..	20·40	19·03	14·92	13·53
1888	64·74	..	43·36	35·05	24·54	19·34
1889	47·11	..	31·76	23·10	..	..
1890	41·23	..	30·06	25·35	18·17	..
1891	52·92	..	32·61	25·65	16·04	..
1892	59·27	..	48·94	30·70	25·53	..
1893	43·21	..	..	20·70	17·29	..
1894	37·77	34·50	26·91	15·05	11·96	10·66
1885	43·47	37·83	26·99	14·79	14·54	16·85
1896	37·13	25·26	19·68	15·39	10·63	13·73
1897	51·28	40·33	26·03	18·05	10·06	14·38
1898	..	40·83	38·66	29·42	18·78	21·26

Six Months dry.

October, November, December, January, February, March.

Year.	T. M. Res.	Wynberg.	Tokai.	Simon's Town.	Houw Hoek.	Somerset West.
1881-2	12·53	..	..	6·80	..	3·72
1882-3	17·26	..	..	9·45	..	7·49
1883-4	10·99	..	..	5·95	..	3·39
1884-5	20·80	..	..	13·31	..	6·39
1885-6	19·15	..	..	7·78	..	4·69
1886-7	15·19	..	8·33	8·79	5·31	6 44
1887-8	18·01	..	9·13	6·92	6·67	5·09
1888-9	15·47	..	9·97	8·83	4·57	4·29
1889-0	14·48	..	6·33	5·79	2·97	2·72
1890-1	14·34	..	8·77	7·86	4·95	..
1891-2	13·75	..	6·13	4·68	7·58	..
1892-3	16·85	..	..	8·11	5·97	..
1893-4	12·89	12·87	..	6·12	10·23	..
1904-5	16·15	12·47	10·70	7·36	5·66	5·03
1895-6	19·74	17·13	..	8·43	7·57	5·41
1896-7	13·80	11·22	6·59	7·60	3·39	5·53
1897-8	..	16·37	10·50	10·51	9·89	7·50

COPY.

St. George's Chambers, Cape Town,
27th March, 1899.

The Town Clerk,
Rondebosch.

STEENBRAZEMS RIVER WATER SUPPLY SCHEME.

DEAR SIR,

I beg to enclose the following returns in connection with the above :—

Return shewing rainfall in the Steenbrazems Valley between February 3rd and March 25th, 1899.
Return shewing gaugings of streams in the Steenbrazems Valley between March 12th and March 24th, 1899.

Yours faithfully,

(Signed) THOMAS STEWART.

STEENBRAZEMS RIVER WATER SUPPLY SCHEME.

Return shewing rainfall from four rain gauges in the Steenbrazems Valley.

Date.	No. 1 Gauge at Camp.	No. 2 on ridge near Kogel Berg.	No. 3 opposite to Sir Lowry's Pass on South Side of Steenbrazems Valley.	No. 4 North Side of Steenbrazems Valley about one mile west of Sir Lowry's Pass.
1899.	Erected	Erected	Erected	Erected
	February 1st	February 4th	February 6th	February 9th
5th February	0·15	..	..	..
7th ,,	0·07	..	..	..
19th ,,	0·24	0·37	0·11	0·10
23rd ,,	nil	0·09	nil	nil
2nd March	,,	0·05	0·01	,,
3rd ,,	,,	0·01	nil	,,
8th ,,	,,	0·01	,,	,,
15th ,,	,,	0·01	,,	,,
20th ,,	0·03	0·04	0·02	,,
23rd ,,	1·26	1·47	0·90	0·89

COPY.

St. George's Chambers, Cape Town,
9th June, 1899.

The Municipal Clerk,
Rondebosch.

STEENBRAZEMS RIVER WATER SUPPLY SCHEME.

DEAR SIR,

As requested by the Mayor, I beg to enclose a return shewing gaugings of the stream in the Steenbrazems Valley between March 12th and June 2nd, 1899.

Yours faithfully,

(Signed) THOMAS STEWART.

STEENBRAZEMS RIVER WATER SUPPLY SCHEME.

Gauging of Streams.

Gaugings in Gallons per 24 Hours.

Date, 1899.	Steenbrazems River.	Kogel Stream, tributary of Steenbrazems River. Quantity included in flow of Steenbrazems River.
12th March	340,000	164,000
13th ,,	284,000	164,000
14th ,,	272,000	176,000
15th ,,	328,000	176,000
16th ,,	300,000	184,000
17th ,,	272,000	176,000
18th ,,	252,000	176,000
19th ,,	252,000	176,000
20th ,,	300,000	176,000
21st ,,	328,000	190,000
22nd ,,	328,000	176,000
23rd ,,	300,000	176,000
24th ,,	2,060,000	1,336,000
25th ,,	1,840,000	866,000
26th ,,	900,000	460,000
27th ,,	740,000	390,000
28th ,,	580,000	290,000
29th ,,	472,000	220,000
30th ,,	392,000	290,000
31st ,,	352,000	220,000
1st April	328,000	204,000
2nd ,,	300,000	176,000
3rd ,,	264,000	164,000
4th ,,	252,000	150,000
5th ,,	284,000	190,000
6th ,,	300,000	190,000
7th ,,	352,000	204,000
8th ,,	872,000	436,000
9th ,,	656,000	298,000
10th ,,	520,000	220,000
11th ,,	456,000	236,000
12th ,,	408,000	236,000
13th ,,	580,000	460,000
14th ,,	656,000	380,000
15th ,,	832,000	404,000
16th ,,	5,700,000	In flood
17th ,,	3,640,000	1,874,000
18th ,,	2,060,000	1,336,000
19th ,,	1,700,000	1,120,000
20th ,,	1,280,000	830,000
21st ,,	1,048,000	656,000
22nd ,,	924,000	624,000
23rd ,,	1,000,000	..
24th ,,	4,412,000	2,146,000
25th ,,	2,360,000	1,680,000
26th ,,	2,280,000	1,530,000
27th ,,	5,700,000	..
28th ,,	5,480,000	2,740,000
29th ,,	3,700,000	2,120,000
30th ,,	2,580,000	1,530,000
1st May	2,240,000	1,200,000
2nd ,,	1,768,000	900,000
3rd ,,	1,500,000	748,000

Date, 1899.	Steenbrazems River.	Kogel Stream, tributary of Steenbrazems River. Quantity included in flow of Steenbrazems River.
4th May	1,460,000	714,000
5th ,,	1,400,000	686,000
6th ,,	3,060,000	2,400,000
7th ,,	..	In flood.
8th ,,	..	do.
9th ,,	..	do.
10th ,,	47,000,000	do.
11th ,,	18,500,000	do.
12th ,,	11,000,000	do.
13th ,,	9,000,000	2,740,000
14th ,,	9,000,000	2,340,000
15th ,,	7,500,000	2,206,000
16th ,,	48,906,000	In flood.
17th ,,	53,024,000	do.
18th ,,	35,810,000	do.
19th ,,	34,500,000	do.
20th ,,	18,500,000	do.
21st ,,	14,000,000	do.
22nd ,,	12,000,000	do
23rd ,,	11,000,000	do.
24th ,,	9,000,000	..
25th ,,	9,000,000	..
26th ,,	8,250,000	2,600,000
27th ,,	7,500,000	2,340,000
28th ,,	6,850,000	2,268,000
29th ,,	6,750,000	1,850,000
30th ,,	6,000,000	1,680,000
31st ,,	12,552,000	1,630,000
1st June	11,645,000	In flood.
2nd ,,	48,128,000	do.

Note.—The data in connection with the flow of the River on the 7th, 8th and 9th of May is not available at present.

STEENBRAZEMS RIVER WATER SUPPLY SCHEME.

Supplementary report on rainfall observations and river gaugings made during the period between the 11th March and the 30th September, 1899. By T. Stewart, M. Inst., C.E., F.G.S.

The taking of rainfall observations and river gaugings was continued without intermission from the 11th March to the 30th September, 1899.

The rain gauges in use were those enumerated in my report of the 13th of March, 1899, and the river gauges were also the same up to the 30th May, but after this date the readings were taken from a large gauge weir, 60 feet long, which was erected for the purpose of measuring the large floods which were anticipated to occur during the wet season.

Rainfall Observations.—The rain gauge at the Camp, near the site of the proposed dam, was read regularly every day at 8 a.m., and additional observations were taken at frequent intervals when rain was falling, but the remainder of the gauges could not be read except at intervals of several days owing to the large extent and the rough character of the area over which they were scattered. However, with one exception, they were usually read sufficiently often to enable the amount of each important fall of rain to be registered. The exception was the gauge on Kogel Berg, which was in a very remote position of high altitude and required a day to visit it, moreover the visit could seldom be made except in clear weather.

All the gauges were observed at the end of each month. The result of these observations are shown on the accompanying table, Annexure A. This table also shows the rainfall registered at various stations in the Cape Peninsula and at Somerset West and Houw Hoek during each month of 1899, thereby enabling an easy comparison to be made between the rainfall in the Steenbrazems catchment area and the rainfall registered at the other stations enumerated.

Taking the average rainfall from all Stations in the Steenbrazems catchment area for May and June (all the gauges were not in use in April) and comparing it with the rainfall registered at the Table Mountain Dam gauge for the same months, the following results are obtained :—

Steenbrazems catchment area, average of 6 gauges	10·38 inches
Table Mountain Dam gauge, one gauge	14·22 ,,

Again, taking the average for the same gauges for the three months July, August and September, the results are as follows :—

Steenbrazems catchment area, average of 6 gauges	24·72 inches
Table Mountain Dam gauge, 1 gauge	30·00 ,,

It will, therefore, be seen that the average rainfall in the Steenbrazems catchment area during the wet season of 1899 was between 73 and 82·4 per cent. of the rainfall registered at the Table Mountain reservoir. It should, however, be noted that the gauge on the ridge near Kogel Berg and the gauge in the valley below Kogel Berg gave considerably higher results than the others. I am of opinion that these results apply to a larger proportion of the catchment area than the lower results, but without more extended observations it is impossible to estimate the relative extent of the area. In this connection I would draw attention to the comparatively small rainfall registered on the summit of Kogel Berg ; this mountain is the highest in the catchment area, yet the total rainfall for the five months, May to September inclusive, is less than that recorded for the same months at any of the stations occupying very much lower positions.

Quantity of Water Available.—As will be seen by referring to my report of the 13th March, 1899, the quantity of water flowing off the catchment area on the 11th of that month was at the rate of 300,000 gallons per day. On the following day it was 340,000 gallons, which gradually decreased until the 18th March, when it reached 252,000 gallons per 24 hours ; this rate of flow continued throughout the 19th, but on the 20th it rose to 300,000 gallons, and on the 24th to 2,060,000 gallons per day owing to falls of rain ; from the latter date the flow gradually decreased until the 4th of April, when it again reached 252,000 gallons per 24 hours. This discharge was the lowest registered on any occasion during 1899. Rain fell on the 7th April, causing the rate of flow to increase to 872,000 gallons per day, a rate which was not exceeded until the 16th, when a rain which fell on the previous day caused it to rise to 5,700,000 gallons per day. From the 16th to the 30th April the flow remained above 1,000,000 gallons per day, except on one occasion when it fell a little lower. On the 7th May one of the heaviest rains recorded in the area occurred. This produced a flood which topped the small gauge, and, as the 60 foot gauge was not in working order at the time, it could not be measured by it ; later in the season, however, another flood of about the same dimensions occurred, and this enabled an approximate estimate of the flood of the 7th May to be arrived at. The discharge was then found to have been approximately 500,000,000 gallons a day. The flood fell quickly until by the 12th May it had decreased to 11,000,000 gallons per day. The lowest gauging obtained between this date and the end of June was 5,280,000 gallons a day.

Annexure B, attached to this report, shows the river gaugings for every day from the 12th March to the 30th June, 1899. The totals are as follows :—

	Gallons.
March	14,120,000
April	50,924,000
May	1,021,830,000
June	756,396,000
Totals for four months :—	1,843,270,000

I have to point out that the winter rains were very late in setting in last season, and that the rainfall for the months stated was much below the average. The river gaugings are therefore of the utmost importance in showing the yield of the catchment area in the season of small rainfall and in indicating the extent of the period for which storage must be provided.

I may mention that I continued that taking of gauging until the end of September, and by so doing I secured the discharge from the exceptionally heavy rains which occurred at the beginning and towards the end of August.

(Signed) THOMAS STEWART.

St. George's Chambers,
Cape Town.
8th March, 1900.

ANNEXURE A.

STEENBRAZEMS RIVER WATER SUPPLY SCHEME.

TABLE showing Rainfall at various Stations at Steenbrazems for certain Months, and in the Cape Peninsula, &c., for Year 1899.

1899. STEENBRAZEMS CATCHMENT AREA.

All gaugings, with the exception of Nos. 6 and 7, were commenced on February the 5th.

CAPE PENINSULA.

TABLE MOUNTAIN.

Month.	1. At Camp. Near site of proposed dam.	2. On ridge near Kogel Berg.	3. Opposite Sir Lowry's Pass or South side of Valley	4. North side of Valley about 1 mile West of S.L.'s Pass.	6. In valley below Kogel Berg.	7. On top of Kogel Berg.	Wynberg Reservoir.	Waai Kopje.	Reservoir Dam.	Tokai.	Simonstown.	Houw Hoek.	Somerset West.
January	..	..	..	..	..	..	2·76	3·39	2·42	1·03	0·93	0·43	0·70
February	0·45	0·38	0·11	0·10	..	..	0·92	0·89	0·72	0·45	0·38	*	0·33
March	1·22	1·62	0·93	0·90	..	..	1·56	1·85	1·36	0·71	0·83	0·37	0·80
April	2·23	3·77	2·60	2·15	..	..	3·36	3·06	3·56	2·22	1·79	1·61	0·98
May	5·67	8·98	7·38	7·00	6·55	3·50	7·54	9·03	7·10	4·70	4 36	3·89	4·56
June	3·14	5·30	3·03	3·33	5·00	3·38	5·87	7·06	7·12	2·88	2·66	1·23	1·65
July	4·35	7·24	5·12	4·17	7·18	3·22	5·84	..	6·32	5·66	4·37	3·26	3·20
August	14·32	22·55	13·08	14·13	20·06	7·49	17·69	29·13	18·90	12·73	9·17	5·86	8·74
September	3·55	5·24	2·11	2·83	6·02	5·65	4·50	4·96	4·78	1·96	1·66	1·12	1·97
Totals—February to September inclusive	34·93	55·08	34·36	34·61	..	..	47·28	55·98	49·86	31·31	25·22	17·34	22·23
October	Rainfall not registered.					..	5·62	5·26	5·85	4·82	4·07	2·41	2·95
November							1·33	5·93	3·06	1·48	1·25	0·00	0·49
December							1·96	5·88	2·30	1·77	2·11	0·75	0·70

* No return, probably nil.

ANNEXURE B.

STEENBRAZEMS RIVER WATER SUPPLY SCHEME.

Gaugings of Steenbrazems River, together with rainfall registered at gauge near proposed Dam.

Date, 1899.	Rainfall. Inches.	Flow of River in Gallons per 24 hours.	
1st to 11th March	Nil	3,228,000	
12th March	..	340,000	
13th ,,	..	284,000	
14th ,,	..	272,000	
15th ,,	..	328,000	
16th ,,	..	300,000	
17th ,,	..	272,000	
18th ,,	..	252,000	
19th ,,	..	252,000	
20th ,,	0·03	300,000	
21st ,,	..	328,000	
22nd ,,	..	328,000	
23rd ,,	1·17	300,000	
24th ,,	..	2,060,000	
25th ,,	..	1,840,000	
26th ,,	..	900,000	
27th ,,	..	740,000	
28th ,,	..	580,000	
29th ,,	0·02	472,000	
30th ,,	..	392,000	
31st ,,	..	352,000	
Totals ..	1·22	14,120,000	
1st April	..	328,000	
2nd ,,	..	300,000	
3rd ,,	..	264,000	
4th ,,	..	252,000	
5th ,,	..	284,000	
6th ,,	..	300,000	
7th ,,	0·38	352,000	
8th ,,	..	872,000	
9th ,,	..	656,000	
10th ,,	..	..	(520,000)
11th ,,	..	456,000	
12th ,,	0·16	408,000	
13th ,,	..	580,000	
14th ,,	..	656,000	
15th ,,	1·38	832,000	
16th ,,	..	5,700,000	
17th ,,	..	3,640,000	
18th ,,	0·05	2,060,000	
19th ,,	..	1,700,000	
20th ,,	..	1,280,000	
21st ,,	..	1,048,000	
22nd ,,	0·05	924,000	
23rd ,,	..	1,000,000	
24th ,,	..	4,414,000	
25th ,,	..	2,360,000	
26th ,,	0·21	2,280,000	
27th ,,	..	..	(5,700,000)
28th ,,	..	5,480,000	
29th ,,	..	3,700,000	
30th ,,	..	2,580,000	
Totals ..	2·23	50,924,000	

ANNEXURE B.—*Continued.*

Date, 1899.	Rainfall. Inches.	Flow of River in Gallons per 24 hours.	
1st May	..	2,240,000	
2nd ,,	..	1,768,000	
3rd ,,	..	1,500,000	
4th ,,	..	1,460,000	
5th ,,	0·40	1,400,000	
6th ,,	0·45	3,060,000	
7th ,,	2·81	3,260,000	
8th ,,	0·07	500,000,000	Gauge flooded
9th ,,	..	111,500,000	quantity estimated
10th ,,	..	47,000,000	
11th ,,	..	18,500,000	
12th ,,	..	11,000,000	
13th ,,	..	9,000,000	
14th ,,	..	9,000,000	
15th ,,	0·66	7,500,000	
16th ,,	0·48	48,906,000	
17th ,,	0 34	53,024,000	
18th ,,	..	35,810,000	
19th ,,	..	34,500,000	
20th ,,	..	18,500,000	
21st ,,	..	14,000,000	
22nd ,,	..	12,000,000	
23rd ,,	..	11,000,000	
24th ,,	0·03	9,000,000	
25th ,,	..	9,000,000	
26th ,,	..	8,250,000	
27th ,,	..	7,500,000	
28th ,,	..	6,850,000	
29th ,,	..	6,750,000	
30th ,,	..	6,000,000	
31st ,,	0·43	12,552,000	
	5 67	1,021,830,000	
1st June	..	11,790,000	
2nd ,,	0·66	61,909,000	
3rd ,,	..	26,215,000	
4h ,,	..	16,600,000	
5th ,,	..	11,430,000	
6th ,,	..	10,540,000	
7th ,,	..	10,200,000	
8th ,,	..	8,025,000	
9th ,,	..	6,450,000	
10th ,,	..	5,520,000	
11th ,,	..	5,520,000	
12th ,,	..	5,280,000	
13th ,,	0·59	5,865,000	
14th ,,	0·66	83,287,000	
15th ,,	0·66	68,360,000	
16th ,,		33,750,000	
17th ,,	..	22,950,000	
18th ,,	0·39	33,450,000	
19th ,,	..	32 050,000	
20th ,,	..	21,750,000	
21st ,,	0·07	26,350,000	
22nd ,,	0 03	22,650,000	
23rd ,,	0·48	36,855,000	
24th ,,	0·16	64.680,000	
25th ,,	..	33,750,000	
26th ,,	..	23,100,000	
27th ,,	..	19,050,000	
28th ,,	..	17,640,000	
29th ,,	..	16,230,000	
30th ,,	..	15,153,000	
Totals	3·14	756,396,000	

APPENDIX D.

(Laid on Table—21st April, 1902.)

Office of the Table Bay Harbour Board,
Cape Town, 19th April, 1902.

No. 104.

Sir,—With reference to the evidence which I gave before your Commission, and to question put to me by Mr. Thomas Stewart, which I was unable to answer at the time, namely, "What quantity of water was used per head per diem by the natives in the Harbour Board Location," I have now the honour to give below a statement showing the actual consumption for the past five months per month and per head. And it may assist your inquiries to know that the Location is provided with open closets regularly flushed, and sufficient bath accommodation for all the inmates:—

Month.	Per Head per Month.	Per Head per Day.
November	427·02 gallons	14·23 gallons
December	456·28 „	14·72 „
January	462·35 „	14·95 „
February	269·03 „	9·61 „
March	400·2 „	12·9 „

I have the honour to be,
Sir,
Your obedient Servant,

R. H. HAMMERSLEY-HEENAN.

Hon. Sir W. B. Berry, Kt.,
Chairman,
Cape Peninsula Commission,
House of Assembly,
Cape Town.

APPENDIX E.

CAPE DIVISIONAL COUNCIL.

Handed in by Mr. Van der Westhuizen, 23*rd April*, 1902.

Statement of Assets and Liabilities (including Valuation of Plant) on last day of Half Year Ended 31st December, 1901.

ASSETS.

		£	s.	d.
Balance to Credit at Bank as per Cash Book		3,261	10	7
Road Rates outstandings, '97, '98, '99, and 1900, gross		5.977	5	5
Constantia Re-Survey		73	19	0
Horses and Mules, as valued by the Engineer	£20,695 0 0			
Carts, Wagons and Harness	1.552 0 0			
Rollers, Chaff-cutters, Wheelbarrows and Tools	460 0 0			
Crushers and Engines	1,000 0 0			
		5,707	0	0
Buildings, Toll Houses, Road Stations, &c.		6,555	0	0
Office Premises, Greenmarket Square		6,500	0	0
Sundry Debtors		20	4	0
		£28,094	19	0
1902.—Jan. 1.—Balance		£26,858	14	11

LIABILITIES.

	£	s.	d.
Surveyor-General, Constantia Survey	73	19	0
Town Council, share of rates collected	27	16	4
Sundry Creditors	1,134	8	9
Balance—Capital Account	26,858	14	11
	£28,094	19	0

(Laid upon the Table—23rd April, 1902.)

Divisional Council, Cape,
10, Greenmarket Square,
14th April, 1902.

The Under Colonial Secretary,
Cape Town.

RE PROPOSED ABOLITION OF THE CAPE DIVISIONAL COUNCIL.

Sir,—I have the honour, as directed, to transmit herewith for the information of the Government, a detailed report of the proceedings at a special meeting of this Council held on Thursday, 10th instant, to consider the abovenamed subject, when the following resolution was unanimously agreed to, viz.:—

"That, in the opinion of this Council, the time has arrived for the abolition of the Divisional Council. And further, this Council recommends to the Government that the scope of the Cape Peninsula Commission be extended to inquiring into the advisability of the proposed County Council taking over the control of the roads within the Cape Division; also having regard to the rapid expansion of buildings outside Municipal areas that proper sanitary control be exercised over such rural areas."

I have the honour to be,
Sir,
Your obedient Servant,
Pro H. v. d. WESTHUYSEN,
Frank Perkins,
Secretary.

The Secretary, Cape Peninsula Commission,
House of Assembly.

Referred for consideration.

Langham Dale,
for Under Colonial Secretary.

Colonial Secretary's Office,
23/4/02.

CAPE DIVISIONAL COUNCIL.

SPECIAL MEETING.

Thursday, 10th April, 1902.

RE MAINTENANCE OF ROADS AND PROPOSED ABOLITION OF COUNCIL.

Present:—Messrs. H. R. Horne, Civil Commissioner, Chairman; T. J. O'Reilly; W. Runciman, M.L.A.; R. Allan; Lawton; Starke; W. Hare; and Stephan.

The Chairman.] The object of this meeting is to consider the resolutions that have been arrived at by the Conference of various Municipalities with regard to the maintenance of public roads.

The Acting Secretary read the notice convening the meeting.

Mr. Allan.] I move that we go into the items *seriatim*.

Mr. Lawton seconded.

Carried unanimously.

In reply to Mr. Runciman, the Chairman said there would be no objection to members speaking more than once.

Mr. Hare.] Before proceeding with our discussion, I should like to know if all the Municipalities have sent in replies to the resolutions of the Conference.

The Acting Secretary.] We have only had replies from one or two of the Councils, namely, Cape Town, Woodstock, Mowbray, Maitland and Durbanville.

Mr. Lawton.] I should like to have this matter investigated properly, and to ascertain whether any communication has been sent to all the various Councils. I have a pretty intimate knowledge of what goes on at Sea Point, and I have no recollection of anything being sent there

The Acting Secretary.] The resolutions were sent in due course to each Municipality.

Mr. Hare.] I was not present at the meeting at which it was decided that each Municipality should be supplied with information regarding the resolutions of the Conference, and also to ask them for an opinion; but I know it was before the Woodstock Council. Some of the Municipalities have replied; others have not.

The Acting Secretary read the minutes of the last meeting of Conference held Thursday, 20th March.

Mr. O'Reilly.] It is now nearly three years since I put my hand to this work, and I certainly thought, when this last Conference was appointed, that something definite would be arrived at. I regret to say, Mr. Chairman, that, in my opinion, all their meetings, all their conversations, and all their resolutions have been so much waste of time and energy. Nothing definite has been accomplished. If they had brought up a resolution stating that the time has now arrived when, in their opinion, the Divisional Council should be abolished, there would be something substantial and explicit to deal with. What has the Commission now sitting to do with their report? Absolutely nothing.

At the suggestion of Mr. Hare,

The Acting Secretary read the resolutions adopted by the Conference.

Mr. O'Reilly.] It can be gathered from the resolutions that the Conference did not arrive at them as a body, but asked for the consideration of the Municipalities. If the resolution proposed by Mr. Powrie had been moved and carried without any outside consideration, that would be all right; something definite would have been done; but it was only passed by the Conference pending its adoption by the Municipalities.

Mr. Hare.] Mr. O'Reilly is quite right. Unfortunately, I was not present at the last meeting of the Conference, and I certainly thought that body would have arrived at some more definite decision. My own feeling is that this matter should be sent back to the Conference.

Mr. O'Reilly.] No. Let us look at the matter fairly. There are several Municipalities, such as Woodstock, Wynberg and others, that will never agree on this question.

Mr. Hare.] Woodstock has agreed.

Mr. O'Reilly.] Ah! there it is; they want to have certain things done. They will not come into line except something is done to relieve them from certain payments. Then Mr. Starke has always been very strong against abolition. Now I think "it is better to deal with the devil I know than with the devil I don't know." We have nothing before us. I say it with the greatest respect, but the Conference has practically done nothing. That is the whole summing up of the Conference from time to time. Now we must do something here to-day. Let us be practical, and what we have to do is this. We must move that the time has arrived for the abolition of the Divisional Council and that special arrangements should be made for places like Simon's Town, Muizenberg, Durbanville, Maitland and the like, with one Engineer. Gentlemen may remember that about five years ago Mr. Bisset, who was Mayor of Claremont, brought up an elaborate report, with a series of conditions including the abolition of certain tolls and a *pro rata* apportionment of expenditure for road maintenance, but the whole thing fell through. Mr. Allan will remember that we carried a resolution that the time had arrived for the abolition of the Divisional Council, and that resolution stands on the books to-day. If the Conference had carried its resolutions without asking for outside consideration, something definite would have been gained, but that is not the case; besides which, there was nothing unanimous. One resolution was only carried by a single vote and another only by three votes. There was a want of unanimity all through. I now beg to move:—

> "That this Council is of opinion that the time has arrived for the abolition of the Divisional Council, and that arrangements be made for the maintenance of the stretch of road between Wynberg and Muizenberg and Simon's Town."

The Chairman.] Provision must be made for the maintenance of all roads outside the Municipalities.

Mr. Runciman.] To a certain extent I agree with Mr. O'Reilly with regard to the abolition of the Divisional Council, but I do not think it is necessary just now to go into details as to what should be done when the Council is abolished. Now that the Cape Peninsula Commission has been appointed, the duties of the Conference practically ceased from that time. The Conference could not have done very much work as their duties were somewhat limited by the fact that it was a question whether the Municipalities should take over the Divisional Council roads. We want something more. The danger arising from the outside areas was brought to our notice when the Plague was in our midst and we want specific arrangements authorised by the Government so that the outside roads will be taken charge of while the roads inside the Municipal areas are maintained by the various Municipalities. Otherwise these Municipal Councils would have to be extended and I do not think the people would agree about that. If we could recommend that the scope of the Cape Peninsula Commission's inquiry should be extended and a recommendation submitted to it that a species of Local Board of Works be appointed for dealing with all questions of water, roads, electric lighting, &c., also including the question of roads and sanitary arrangements outside Municipal areas, we would be doing something practical.

The Chairman.] You would then have a County Council established.

Mr. Runciman.] We need not say that it would be; all we can do is to formulate our opinions and forward them to the Government. We might put it in the form of a

resolution and say exactly what we want to do. But the Divisional Council, as a Council for the maintenance of roads, has had its day and it must go; and something better, with more powers than we have at present, must take its place. I deprecate the proposal that the Municipalities should take over the whole of the roads inside the Municipal areas, and then contribute *pro rata* towards the maintenance of the outside roads, thus to a large extent relieving the farmers of their just responsibilities. The whole thing had not yet been fully considered.

Mr. O'Reilly.] The broad question to be decided now is, do we agree that the Divisional Council should be abolished?

Mr. Allan.] Any such resolution as has been proposed will not be carried by the unanimous vote of this Council or any Municipal Council. It is impossible at present to abolish this Council and substitute some other Board or Council for it. I will give you an instance. Wynberg is not prepared to maintain the Divisional Council roads Wynberg derives no benefit at all from one half of these roads. They are entirely for the use of the Cape Town and travelling public in general, not for the village. There are six miles of road from which we get no rates at all, and we only get rates from two miles of road. Do you think that these roads will be kept up by Wynberg for the convenience of Cape Town? I say no. Then take the main road from the boundary of Wynberg to Hout's Bay, who is going to maintain that road? The same remark applies to the road from Tokai to Diep River. Do you think the farmers alone will maintain that?—No; it will go to the dogs again, and so will the road from Wynberg to Muizenberg What the Cape Peninsula Commission has to decide is the abolition of the whole of the Municipalities and the appointment of one controlling body from Cape Town to Kalk Bay to govern the people, levy taxes, and deal with roads, water, scavenging, &c.

Mr. Starke.] I must say that the country people are not in general prepared to take over their portions of the roads, because those districts are so thinly populated. So far as local roads in my district are concerned, I think the people will maintain them readily enough, but it would be impossible for them to pay for the upkeep of main roads and private roads. Something definite must be settled, such as deciding so much per £ on Municipal properties should be levied, and allowing the Municipalities to take over the roads in their own districts, but I cannot agree to the abolition of the Divisional Council until some proper decision has been arrived at.

The Chairman.] The question really before us is this: Is the Divisional Council to be abolished or not? As to what should take the place of the Divisional Council that will be an after consideration. The Commission now sitting will probably have something to say, and will propose certain things, but an Act of Parliament will ultimately have to be passed.

After further discussion, the following resolution was moved by Mr. O'Reilly and seconded by Mr. Runciman:—

> "That in the opinion of this Council the time has arrived for the abolition of the Divisional Council. And further, this Council recommends to the Government that the scope of the Cape Peninsula Commission be extended to inquiring into the advisability of the proposed County Council taking over the control of all roads within the Cape Division; also having regard to the rapid expansion of buildings outside Municipal areas, that proper sanitary control be exercised over such rural areas."

This resolution was unanimously agreed to, in substitution for the proposition first submitted by Mr. O'Reilly, which was withdrawn.

The Council thereafter adjourned.

APPENDIX G.

(Laid upon the Table—20th May, 1902.)

Office of Chief Inspector of Public Works,
Cape Town,
16th May, 1902.

The Secretary,
Cape Peninsula Commission.

Sir,—In compliance with the request made by the Chairman, I now have the honour to submit copy of report by the Chief Inspector on certain defects in connection with the Simonstown Storage Reservoir.

In order to enable the Commission to more clearly understand this report, I would preface it by stating that the original amount of £11,000 provided for these works was a joint grant by the Imperial and Colonial Government, by which they compounded an annual payment of £700 in lieu of rates.

Under the circumstances mentioned by me in my evidence, this Department was not consulted at all in this matter, the Municipality making its own arrangements regarding designs and execution of the works.

When it was found, however, that the works could not be completed within the £11,000 available, the Municipality approached the Government with a view to obtain a loan of £2,500.

It was then for the first time that the matter was brought to the notice of this Department. The copy of the Chief Inspector's report to the Hon. the Commissioner of Public Works gives full details of the investigations made and the results thereof.

I have the honour to be,
Sir,
Your obedient Servant,

W. WESTHOFEN, M.I.C.E.,
Engineer, P.W.D.

COPY.

Office of the Chief Inspector of Public Works,
Cape Town, 3rd November, 1898.

13/1224.C.35.

SIMONSTOWN WATER WORKS.

The Secretary for Public Works.

I have to inform you that I have deputed Mr. J. M. Wright (who, before entering this service, was engaged under Mr. Deacon on the Vyrnwy Water Works for the Supply of Liverpool) to make an independent inspection of the Simonstown Reservoir, for the completion of which an additional loan of £2,500 is required by the Municipality.

You are aware that two previous inspections have been made without obtaining information that would warrant me in recommending the granting of the loan, because I could not then see any reasonable probability of the work being a success. The result of Mr. Wright's inspection and his futile efforts to get necessary information from Mr. Stewart —through his assistants or personally—is to leave me in the same unfortunate position.

The tracing of plan supplied by the Town Council shews the work as laid down before the Town Council, but does not shew it in its present condition by illustrating the alterations and additions that have been thought necessary since the preparation of the original plan.

The original plan, to my mind, shows that adequate provision was not made for thoroughly and efficiently draining the ground on and in which the reservoir was intended to be constructed before the commencement of such construction. Experience during construction has shown this to be the case, as set forth in all reports I have received.

The bulging and cracking of the back wall occurred before the concrete floor was placed in position, and at the time of the inspections of my assistants it was impossible to ascertain the true depth or extent of the cracks, as they had been raked out and were in course of repair, and they have been unable to obtain from the Town Clerk, or from anyone engaged on the work, such information as a qualified Engineer would be able to ascertain for himself if he examined the bulge and cracks before they had been interfered with.

The remedial measures of rubble backing and repairs of cracks having been done before our inspections began, it is impossible for me to know the true nature and extent of the fractures, or to say that the remedial measures are such as will secure the permanent stability of the reservoir, on which all else depends.

The floor, having been put in since the bulging of the back wall inwards, should the pressure of the water when the reservoir is full press it back appreciably towards its original straight line, a crack is sure to occur at the junction of wall with floor, and this will, in my opinion, extend and develop every time the reservoir is filled and emptied, and it is impossible at this stage to say what the extent of the resulting damage would be, and hence what the cost would be to effectually remedy the fault, to say nothing of the Municipality, after having become accustomed to the water supply, being suddenly deprived of the advantage of storage.

The class of materials and workmanship employed in the works generally is eported to be very good.

The work has been carried on departmentally, and the Mayor informs me that the Municipality has not been supplied with periodical statements of quantities of the different classes of work done and how the actual cost compared with the original estimate (in faith of which they embarked on the enterprise), so that I am unable to obtain this information, and cannot express any opinion as to whether the works have been conducted on good commercial principles or with due economy.

If the Municipality is not in a position to give some reasonable guarantee of the permanence of the work done, the Government, if granting the loan at all, will have to do so simply in consideration of the circumstance that the Municipality can afford to pay the interest on the loan, whatever may happen to the reservoir.

(Signed) JOS. NEWEY,

Chief Inspector Public Works.

APPENDIX H.

(Laid upon the Table – 27th May, 1902.)

Meteorological Commission,
Cape Town, 26th May, 1902.

The Secretary,
Cape Peninsula Commission,
Room No. 18, House of Assembly.

Sir,—I have the honour to forward herewith certain tables showing the percentage monthly rainfall, calculated in terms of the actual total rainfall of the corresponding year, for the Table Mountain Rainfall Stations; also tables showing the evaporation at the Woodhead Reservoir and at the Molteno Reservoir, Cape Town.

In order to render the position of the rain gauges on Table Mountain perfectly clear, I enclose a rough sketch in which their positions are approximately defined.

* I also enclose a memo. with reference to certain questions asked by the Peninsula Commission on Tuesday, the 20th inst.

I have the honour to be,
Sir,
Your obedient Servant,

CHARLES STEWART,
Secretary.

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* This appears as a footnote to Mr. Stewart's evidence.

DISA HEAD—2,500 FEET—RAINFALL.

Monthly Rainfall of each Year expressed in Percentages of the Total for the Corresponding Year.

	Jan.	Feb.	Mar.	April.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Actual Annual Rainfall.
	%	%	%	%	%	%	%	%	%	%	%	%	Ins.
1881	0·6	1·5	1·0	13·8	55·2	6·1	3·8	10·6	2·3	1·5	3·6	0·6	87·98
1882	0·1	0·8	5·8	15·8	8·6	14·7	20·8	9·9	5·9	7·5	1·0	9·0	49·23
1883	5·1	2·6	4·5	9·4	18·3	11·8	16·3	13·4	8·0	7·1	1·9	1·3	32·65
1884	0·1	1·5	1·6	6·8	10·4	19·6	15·8	3·8	20·4	11·5	8·6	0·4	30·29
1885	0·9	8·9	3·6	6·9	19·3	12·3	8·3	16·0	7·8	6·4	5·1	4·4	35·18
1886	1·0	0·2	11·2	2·3	12·0	22·4	9·6	14·3	8·0	10·5	2·1	6·3	40·69
1887	5·1	2·4	2·9	8·5	14·2	10·6	14·2	12·5	3·4	13·6	7·3	5·3	41·53
1888	1·0	0·5	1·9	10·7	17·7	26·2	11·7	9·8	6·4	4·8	4·7	4·4	57·92
1889	0·6	8·0	3·6	16·6	19·6	9·1	11·3	7·9	8·1	5·1	4·5	5·5	43·30
1890	2·3	5·6	2·5	8·7	20·1	3·4	21·8	13·7	7·4	5·7	5·9	3·0	45·68
1891	1·5	5·6	2·7	12·4	21·8	10·5	13·7	11·3	11·4	1·6	1·7	5·7	45·83
1892	3·3	2·9	7·1	5·4	13·0	18·6	16·8	10·1	7·0	4·7	6·1	5·6	59·85
1893	1·3	2·6	0·7	11·7	8·6	17·1	7·7	14·6	14·4	17·4	2·6	1·2	35·78
1894	1·0	1·8	6·3	5·4	5·6	22·2	16·3	10·3	7·3	10·0	12·5	1·2	35·59
1895	3·7	0·8	3·3	13·8	12·9	15·0	10·1	11·0	13·4	5·8	5·7	4·5	37·88
1896	3·8	2·8	15·7	4·9	13·8	19·2	9·3	14·9	5·5	4·5	4·4	1·2	37·68
1897	2·8	2·3	5·6	7·1	7·2	11·9	24·0	11·2	10·5	9·7	4·6	3·1	38·26
1898	3·7	3·9	5·6	13·8	11·1	11·3	17·8	5·0	8·5	10·8	5·3	3·2	42·67
1899	3·1	1·4	2·7	6·4	13·1	11·9	11·6	25·8	7·0	10·1	3·6	3·4	34·87
1900	5·4	5·7	5·4	7·8	10·1	6·2	18·4	11·8	8·9	6·7	5·4	8·2	30·02
Percentage Means	2·1	2·9	4·5	9·8	18·0	13·8	13·5	11·7	8·0	7·2	4·7	3·8	43·14

WAAI KOPJE—3,100 FEET—RAINFALL TABLE

Showing Percentage Rainfall for each Month in terms of the Total of the Corresponding Year.

	%	%	%	%	%	%	%	%	%	%	%	%	Ins.
1882	0·3	2·2	6·2	13·7	9·1	14·9	17·9	9·3	5·5	10·9	1·5	8·4	60·24
1883	2·5	1·9	3·1	8·4	20·3	12·9	15·2	10·6	12·9	8·1	1·8	2·2	62·96
1884	1·3	2·6	2·0	8·1	9·2	15·5	15·1	6·1	17·4	11·5	10·1	0·9	55·66
1885	1·3	7·9	4·0	6·8	14·8	14·9	9·6	15·8	8·2	6·0	5·7	5·0	62·49
1886	2·5	2·0	11·4	1·7	11·9	21·6	9·2	14·0	8·1	10·0	1·6	6·0	54·67
1887	4·8	3·4	2·1	7·8	13·9	8·4	14·2	14·3	3·6	14·1	5·6	7·7	54·09
1888	1·1	0·9	2·0	9·6	18·6	29·1	9·7	10·9	4·6	3·4	4·6	5·3	78·35
1889	0·2	5·4	2·7	17·7	20·4	7·6	14·7	8·8	8·6	4·9	2·5	6·2	60·61
1890	2·8	5·0	3·0	7·5	16·3	4·3	22·0	14·5	9·9	4·6	4·4	5·4	55·08
1891	1·5	5·6	2·6	11·9	24·4	11·8	11·9	10·0	10·6	1·3	2·1	6·4	65·75
1892	3·1	1·6	4·4	5·6	14·0	20·9	15·2	11·7	6·4	4·6	6·5	6·0	80·36
1893	2·5	2·6	0·6	10·4	8·2	16·8	12·0	16·3	16·6	10·0	3·5	0·5	53·85
1894	1·2	1·7	7·0	4·4	11·7	18·8	17·2	10·7	6·7	10·9	9·1	0·6	54·35
1895	4·1	0·8	3·4	15·9	11·0	13·1	7·9	14·0	12·2	6·7	5·2	5·7	58·77
1896	3·7	3·9	10·1	4·0	14·3	17·8	13·6	15·0	5·8	5·4	5·5	0·9	52·76
1897	2·5	1·9	6·3	6·5	6·0	13·8	25·1	14·1	7·4	9·1	4·8	2·4	70·27
1898	3·4	3·4	4·4	12·3	11·2	11·4	19·5	2·7	10·4	11·5	6·8	3·0	69·51
1899	4·4	1·2	2·4	4·0	11·8	9·2	11·2	26·8	6·5	7·6	7·2	7·7	76·64
1900	3·3	4·4	6·2	7·9	13·2	7·3	17·0	13·2	9·3	7·0	4·3	7·0	62·54
Percentage Means	2·5	3·0	4·4	8·7	13·9	14·5	14·3	13·0	8·6	7·4	5·1	4·6	62·58

KASTEEL POORT—2,500 FEET.

TABLE GIVING PERCENTAGE RAINFALL IN EACH MONTH CALCULATED ON THE TOTAL ACTUAL RAINFALL OF THE CORRESPONDING YEAR.

	Jan.	Feb.	Mar.	April.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Actual Annual Rainfall.
	%	%	%	%	%	%	%	%	%	%	%	%	Ins.
1885	1·5	7·1	4·0	7·0	15·9	14·1	10·3	17·0	6·9	6·3	5·4	4·5	63·71
1886	2·0	0·3	11·4	2·1	10·6	22·6	9·9	15·5	9·0	9·6	1·4	5·6	53·87
1887	4·8	2·5	2·3	9·2	16·0	10·1	14·1	12·3	3·8	14·3	6·0	4·7	53·61
1888	0·9	0·3	1·6	8·3	18·7	29·3	12·4	9·7	5·8	4·1	4·6	4·5	76·21
1889	0·4	6·5	3·7	17·7	20·6	9·2	13·3	8·1	8·1	4·7	2·6	5·0	60·06
1890	2·0	4·4	2·7	7·7	17·3	3·6	24·6	14·6	9·6	5·8	4·4	3·6	57·37
1891	1·3	6·9	2·8	13·4	18·6	10·9	13·7	11·2	11·2	1·8	1·5	6·7	55·66
1892	2·2	1·5	5·5	5·1	13·4	20·7	19·0	10·2	6·6	4·6	5·1	5·9	80·69
1893	1·9	2·3	0·3	11·2	9·1	18·6	9·3	15·7	15·8	13·3	2·1	0·5	51·30
1894	0·4	2·0	7·5	4·0	10·8	22·8	15·4	10·3	6·4	9·7	10·1	0·6	48·11
1895	3·8	0·3	3·4	14·0	11·2	14·1	9·8	13·7	12·0	7·5	6·6	3·4	53·66
1896	2·8	2·7	10·9	4·4	14·3	22·7	11·5	15·0	5·4	5·3	4·2	0·8	52·16
1897	2·7	1·7	6·5	7·0	6·4	14·1	20·2	15·2	8·3	9·8	4·7	3·5	58·85
1898	2·9	3·0	4·8	11·8	12·7	13·5	19·9	3·5	9·6	10·3	5·7	2·5	66·63
1899	3·8	1·1	1·8	6·2	9·3	12·8	11·7	27·7	6·5	8·6	6·4	4·1	64·95
1900	3·9	5·1	6·5	7·8	12·7	8·5	15·8	13·5	8·1	6·2	4·8	7·2	57·00
Percentage Means	2·3	2·9	4·6	8·5	13·6	15·5	14·5	13·1	8·7	7·6	4·9	3·8	59·60

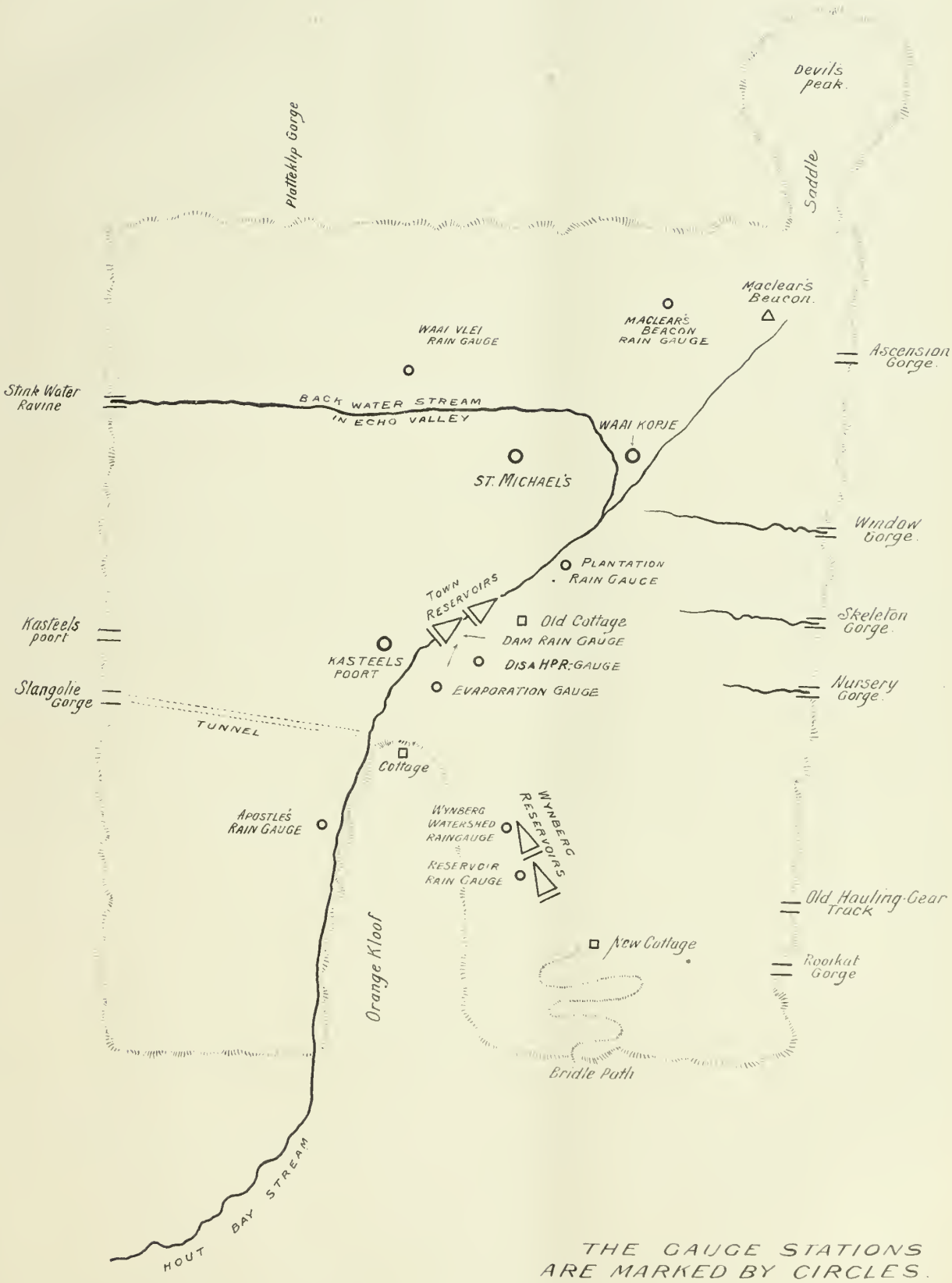
ST. MICHAEL'S—3,050 FEET.

	%	%	%	%	%	%	%	%	%	%	%	%	Ins.
1885	1·5	6·4	4·3	6·3	16·5	13·9	9·3	18·8	7·3	6·2	5·2	4·3	77·86
1886	1·8	0·9	10·6	1·7	10·3	22·9	9·5	16·3	8·6	9·6	1·3	6·5	67·46
1887	4·4	3·4	2·4	8·2	14·5	9·4	15·9	13·0	3·3	13·5	5·3	6·7	61·29
1888	0·9	0·7	1·8	9·4	21·7	28·8	10·6	9·6	4·3	4·1	4·2	4·0	99·08
1889	0·4	6·9	3·6	18·1	17·1	8·8	14·6	7·1	8·4	5·6	3·9	5·7	67·09
1890	2·1	4·2	2·7	6·9	16·8	3·2	25·8	14·1	9·3	5·6	4·6	4·8	66·00
1891	1·5	7·0	3·3	11·4	22·7	10·1	13·7	9·6	10·7	1·7	1·8	6·4	71·67
1892	2·8	1·6	4·6	4·9	12·4	22·9	18·8	10·6	6·4	4·4	5·6	5·4	97·89
1893	2·6	2·7	0·5	11·0	8·1	18·4	9·6	16·9	14·9	12·3	2·3	0·6	64·74
1894	0·7	1·6	6·9	4·7	10·5	23·7	16·3	9·2	6·0	9·6	10·1	0·9	63·15
1895	4·2	0·6	3·7	14·3	10·6	12·3	9·5	14·7	12·7	8·2	5·8	3·4	69·90
1896	3·2	3·0	10·2	4·1	13·6	20·7	12·4	16·0	5·7	5·7	4·4	0·8	59·58
1897	2·5	1·8	3·2	7·0	6·5	15·9	27·2	12·2	7·5	9·7	4·2	2·2	75·78
1898	3·2	3·4	4·6	11·5	10·9	11·9	20·4	4·5	10·0	10·3	6·3	3·0	74·81
1899	4·1	0·9	2·3	4·4	11·7	11·3	11·4	26·5	6·3	7·1	6·8	7·4	84·02
1900	3·8	5·2	6·3	7·8	12·5	8·0	15·7	13·9	8·1	6·1	5·1	7·5	65·78
Percentage Means	2·4	3·0	4·3	8·1	13·1	15·5	15·0	13·2	7·9	7·4	5·2	4·2	72·88

ORANGE KLOOF—730 FEET.

	%	%	%	%	%	%	%	%	%	%	%	%	Ins.
1888	..	..	..	Incomplete		..	..	..	..				
1889	0·3	2·8	3·9	27·1	19·5	3·4	12·9	10·4	9·1	*	10·6	*	39·57
1890	..	..	..	Wanting		..	..	..	..	..	..	..	..
1891	3·0	2·5	2·7	13·9	32·1	13·1	9·7	11·0	7·7	0·0	0·0	4·0	34·61

* October, November and December taken together.



THE GAUGE STATIONS ARE MARKED BY CIRCLES.

MOLTENO RESERVOIR—EVAPORATION.

	Jan.	Feb.	Mar.	April.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Year.
	ins.	ins.	ins.	ins.	ins.	ins.	ins.	ins.	ins.	ins.	ins.	ins.	Ins.
1888	12·80	9·37	8·62	2·87	·62	1·25	1·06	1·87	3·37	5·37	5·87	7·12	60·19
1889	8·25	7·12	8·62	3·38	2·25	2·63	2·50	2·63	3·50	6·75	6·38	7·75	62·26
1890	10·50	7·56	6·55	3·50	1·60	2·63	1·25	1·63	4·00	6·13	7·25	9·63	62·28
1891	9·13	6·88	7·25	4·75	2·13	2·75	2·75	3·13	2·87	7·25	6·87	9·75	65·51
1892	9·25	8·38	5·50	4·00	1·38	·50	1·63	2·13	2·13	5·00	6·25	6·38	52·53
1893	10·13	9·00	7·00	3·75	3·38	1·50	2·00	3·50	5·25	4·50	7·13	9·38	66·52
1894	10·38	9·38	6·00	5·38	4·13	1·38	1·88	2·25	3·50	3·75	5·00	8·50	61·53
1895	8·30	8·78	7·38	3·88	4·06	2·00	2·25	1·63	3·00	5·25	4·63	7·38	58·54
1896	7·13	7·38	5·38	4·38	2·88	1·13	2·00	2·75	2·75	5·63	7·25	8·63	57·29
1897	9·25	6·12	6·12	3·38	2·75	2·62	2·88	2·62	2·62	4·38	5·38	7·62	55·74
1898	7·50	6·12	5·25	4·12	2·00	3·12	2·88	4·38	2·38	5·00	6·50	8·12	57·37
1899	7·50	7·50	8·12	3·38	3·38	2·38	2·38	2·38	2·75	4·38	7·62	9·50	61·27
1900	8·62	7·50	5·50	3·38	2·75	3·12	2·75	2·50	2·75	4·38	4·88	6·62	54·75
Means	9·13	7·78	6·71	3·86	2·56	2·08	2·17	2·57	3·14	5·21	6·27	8·18	59·67
Percentage Means	15·3	13·0	11·2	6·5	4·3	3·5	3·7	4·3	5·3	8·7	10·5	13·7	59·66 (across)

TABLE MOUNTAIN—WOODHEAD RESERVOIR—EVAPORATION.

	ins.	ins.	ins.	ins.	ins.	ins.	ins.	ins.	ins.	ins.	ins.	ins.	Ins.
1898	..	..	..	..	1·90	3·00	2·38	4·98	3·28	5·88	5·50	7·80	
1899	7·61	6·56	6·70	4·83	4·03	1·88	2·59	1·06	2·63	4·12	7·25	8·80	59·07
1900	7·61	5·56	5·29	4·18	4·20	2·59	2·34	2·14	4·54	5·98	6·79	8·62	58·25
1901	5·45	5·25	5·57	4·98	2·58	3·93	2·08	3·39	4·35	7·71	6·90	8·14	61·31
1902	7·08	7·05	7·08	2·86	..	..	..	..	..	..	..	..	
Averages	6·94	6·10	6·16	4·21	3·18	2·84	2·60	2·89	3·70	4·92	6·36	8·52	59·86
Percentage Means	11·9	10·4	10·5	7·2	5·4	4·9	4·4	4·9	6·3	8·4	10·9	14·6	58·44 (across)

APPENDIX I.

(Laid upon the Table—28th May, 1902.)

Cape Government Herbarium: South African Museum Buildings,

Department of Agriculture,

Cape of Good Hope,

Cape Town, 22nd May, 1902.

Sir,—I reply to your letter of the 21st instant, I have the honour to state that several species of *Ulva* grow abundantly along the rocky parts of the Table Bay foreshore. Our species are *U. Lactnea* and *U. rigida*, much smaller than the northern *U. latissima* reported by you in Belfast Lough, but of precisely similar thin, green, easily decomposable tissue. We also have vast quantities of an allied seaweed, *Porphyra laciniata*, of similar texture, but deep purple in colour.

For the most part these *Ulvaceæ* reproduce themselves in rock pools and along the lee of projecting reefs. From these they are, along with many others, torn up by the waves, carried away by currents, and flung ashore wherever a stretch of sand occurs with a gentle inclination.

There is also the huge "Sea-Bamboes," *Laminaria buccinalis*, and the *Macrocystis pyrifera*, which contribute largely to the sea-wrack on the shore. These two dark brown algæ almost fill up the surface of several of the little bays just beyond Sea Point.

It has not come within my purview to note the relation of these algæ to the discharge of sewage along the coast. The only fact which seems to bear upon the question you are discussing noted by me is that during the last ten or twelve years many of the more delicate algæ, once common among the rock-pools from Mouille Point to Sea Point, have either disappeared or become very unfrequent. I have attributed this to the pollution of the residual sea-water left in the pools during the reflux by the sewage poured in from the fringe of houses along the sea-face. The larger algæ doubtless suffer proportionately.

The "Palmiet," you report as lining the pools of the Steenbras River, is an almost arborescent species of rush, *Prionium Palmita*, often called *Juncus serratus*. No doubt the slow decomposition of its great palm-like leaves, dropping into the water, tends to produce an additional quota of peaty colouring matter, besides that supplied from the peat-humus of the banks. But I am not aware that a moderate discoloration of mountain streams by this kind of apocrenic deposit renders the water less potable, save by reason of the fancies of the consumers. The moorland streamlets of Scotland and upland Yorkshire run brown, yet nobody thinks them less potable thereby, and the burn-trout thrive in them apace. The Cape Town Table Mountain water is distinctly peat-coloured, yet the quality is undeniably excellent, though the aspect is not tempting. The colour can be easily got rid of by use of permanganate in the collection-pool above a filter-bed; a matter respecting which no one can inform you better than can Mr. Thomas Stewart, M.I.C.E. I think the presence of Palmiet in a stream supplying a wool-washery in Howison's Poort was many years ago the subject of litigation in the Eastern Districts Court, and, if I remember rightly, the giant rush was held guiltless.

I have the honour to be,

Sir,

Your obedient Servant,

P. MAC OWAN, D.Sc., F.S.S.,

Government Botanist.

Mark Garrett, Esq.,

Secretary to Peninsula Commission.

(Laid upon the Table—30th May, 1902.)

Office of Government Biologist,

South African Museum,

Cape Town, 27th May, 1902.

No. 1680/24.

Sir,—With reference to your request on behalf of the Cape Peninsula Commission for information with regard to the seaweed *Ulva latissima*, and with regard to the probability of its increasing to an extent that would be obnoxious on the foreshores of Table Bay, where discharge of sewage is made, I have the honour to inform you that this seaweed is found in both the Northern and Southern Hemispheres; it occurs at St. Helena, but I can find no record of its occurrence at the Cape. *Ulva lactuca*, however, occurs here, and is common.

I am not in a position to say definitely that this weed would not prove objectionable with discharges of large quantities of sewage, but am of opinion that this would not be the case. I have grown the weed in an aquarium, and find that it multiplies very rapidly in standing water, but the waters of Table Bay are under the influence of currents, though to a limited extent. They cannot in any sense be said to be land locked, and are practically uninfluenced by inflow of fresh water, their specific gravity, which I have ascertained on several occasions, being nearly that of pure sea water.

Any further information which I can supply will be gladly placed at the disposal of the Commission.

I have the honour to be,

Sir,

Your obedient Servant.

J. D. F. GILCHRIST,

Government Biologist.

The Secretary,

Cape Peninsula Commission,

No. 18 Room, House of Assembly.

APPENDIX J.

(Laid on Table—3rd June, 1902.)

Office of the Chief Inspector of Public Works,
Cape Town, 31st May, 1902.

The Secretary,
Cape Peninsula Commission.

Sir,—In accordance with the wishes expressed by the Chairman of the Commission in your letter of the 16th instant relative to the Report of the Select Committee on Cape Town sanitation of 1888, I now have the honour to submit some notes on the evidence given by Messrs. Bain and Stewart.

The evidence of Mr. Bain is mainly confined to the taking of the upper waters of the Twenty Four Rivers, and as his observations are merely superficial, and not founded upon practical data ascertained by gauging the stream, or by surveying and measuring the drainage area, they cannot be accepted as in any way reliable or sufficient to base any practical scheme upon. But there are other considerations which must not be lost sight of.

In the first instance, the Twenty Four Rivers stream is a tributary to the Berg River, and its waters belong wholly or in part to the riparian owners along its banks and along the Berg River to its mouth. This supply is, therefore, as much subject to legal disabilities, if any such exist, as the water drawn from the Oliphant's Hoek stream, and it has the additional disadvantage of being some 30 or 35 miles further from Cape Town, whereby the cost of the pipe-lead to Cape Town will be substantially increased.

As to the character of the stream itself I am not in a position to speak definitely. I have passed it on several occasions in the summer time, and there was but a very small run in it, some of the channels being quite dry, but this does not by any means preclude the possibility of there being a very strong underflow which would prove the perennial character of its supply.

Gauging the stream at some point up the mountain slope would be the only means of obtaining reliable information as to the supply of water obtainable all the year round.

Mr. Bain also suggests taking the waters of the furrow which has existed for many years, and which takes water out of the Breede River, near Ceres Road, and after driving the Artois Mills, passes into the Berg River, near the entrance to Tulbagh Kloof.

Under what circumstances this proceeding was ever sanctioned it is not easy at the present time to find out, but it violates one of the fundamental laws of the Colony, as I understand it to be, namely, that water cannot be taken from one watershed and passed into another. But even supposing that by right of prescription this water cannot be taken from the Artois Mills, it is quite certain that the riparian owners along the banks of the lower Breede River, which are already much hampered by the want of water in this river in the summer time, would never consent to any further encroachments upon that supply. This proposal may, therefore, be dismissed as both impracticable and wrong in principle.

Mr. Stewart's evidence offers very many points of interest, and proves above all things how necessary it is in schemes of this nature to take large and broad views and make considerable allowance for contingencies which, although they cannot always be clearly foreseen, are yet sure to arise.

Mr. Stewart gives the population of Wynberg at 5,500 including the Military in 1888. I am not aware of the actual figures of the present day, but they cannot be more than double—if so much. But Mr. Stewart commits himself to a definite statement that the water supply of Wynberg for the next 20 to 30 years, that is, up to 1913 and 1918, would be equal to any increase of population and that both Claremont and Rondebosch could be supplied as well as Wynberg. As a matter of fact, Wynberg has never had sufficient water for the last ten years for its own people, much less for the two other suburbs mentioned in addition.

In the same manner, such of the Municipal Councillors of Cape Town as gave evidence were quite positive that the construction of the Woodhead tunnel would give all the water necessary for Cape Town, yet the Woodhead Reservoir in addition to the tunnel has failed to meet the demands made by the town, and by the time the second reservoir is completed and able to store the balance of rainfall on the mountain the supply will not be very much more than the demand—if so much.

I may be permitted to state that I have not written these notes in a spirit of mere criticism or of fault-finding, for I am fully aware of the difficulties under which Municipalities labour in carrying out works of this nature—difficulties due mainly to lack of means and to a very natural reluctance of saddling posterity with more obligations than are absolutely unavoidable, but rather with a view to shewing that questions of supreme importance like those relating to public health and public safety, should not be left to be decided by men whose first care must necessarily be the conduct of their own business affairs and who are qualified neither by training nor experience to efficiently carry out the duties imposed upon them. That there are on the various Municipal Councils many gentlemen who are fully competent to manage large and important matters goes without saying, but they are in a minority and are generally over-ruled. In the proposed Council or Board, to which no doubt they would be elected, they would be able to state their views more fully without losing sight of the local interests which they represent.

With reference to the proposals made that large quantities of water could be taken from the sources of great rivers and conveyed to other places, I should like to point out to the Commission the following considerations which may probably be urged sooner or later upon the Legislature in connection with the laying down of some universal laws dealing with water rights.

In all rivers, large and small, it will be found that some of the best and most fertile lands are those lying on the banks, being more or less subject to inundation or partial inundation during the rainy season. Even if they are not either wholly or partially inundated, the soakage of water into the soil during long periods of flooding in the river valley makes them fit for ploughing and sowing as soon as the waters commence to subside, and any subsequent floods of minor character will still make themselves felt and supply the necessary moisture for maturing the crops.

Such lands will be found at all points from the headwaters of a river down to its mouth and every tributary to a river will furnish its quota of such lands.

In years of a generous rainfall the abstraction of a few thousand millions of gallons of water will probably not make itself felt very much although, those portions of land lying furthest away from the river channel would no doubt feel the diminished supply to some extent, but in years of a scanty rainfall some of these lands would either lose the benefit of the flood waters altogether or the supply would be so seriously diminished as to cause serious objections to be raised by the riparian owners.

I more particularly desire to draw the attention of the Commission to this point, because I have noticed that in the minds of some of the promoters of the various schemes recently brought forward, there seems to be an impression that so long as the ordinary summer flow is allowed to run down the river all obligations to riparian owners would be fulfilled.

I have the honour to be,

Sir,

Your obedient Servant,

W. WESTHOFEN,

Engineer P.W.D.

APPENDIX K.

(*Laid upon the Table 23rd August*, 1902).

Office of the Cape Peninsula Commission,

No. 18 Room, House of Assembly,

Cape Town, 5th August, 1902.

SURVEYS OF SOURCES OF WATER SUPPLY.

Sir,—I have the honour to intimate that in course of evidence taken by the Commission it appeared to the Commission to be probable that a supply of water for the use of the Cape Town and Suburban Municipalities might be procurable from one or other of the following sources, viz.: Orange Kloof, Palmiet River, Oliphant's Hoek, and Twenty Four Rivers, but that the information obtainable concerning these sources from witnesses was not sufficiently definite or trustworthy to enable the Commission to recommend any one or more of them for the purpose required.

It, therefore, seemed desirable to the Commission that further investigations of these possible sources should be undertaken, and with that object in view they obtained reports from the Chief Inspector of Public Works (copies enclosed, together with copies of memoranda by Mr. Stewart thereon) as to the estimate of expenditure that would be required to enable the officers of that Department to furnish the Commission with the necessary data.

These reports having been duly considered and approved, I have the honour to request that you will obtain for the Commission the necessary authorization from the Colonial Secretary to incur the indicated expenditure, or otherwise communicate with the Public Works Department, and furnish the Chief Inspector with the authority required.

With special reference to the Orange Kloof locality, I have the honour to state that the Commission have a desire to ascertain whether there can be constructed below the Constantia Nek a storage reservoir capable of giving a supply of two and a half million gallons of water per diem during the dry season of say six months in the year, and to obtain a report on the cost of such reservoir, and the best means and cost of conveying such daily supply therefrom to the service reservoir at Wynberg, such report to indicate, if possible, the comparative cost of the alternative proposals to raise the water by pumping or to convey it by tunnel.

From the information supplied, the Commission is satisfied that the run-off from the Orange Kloof Watershed is sufficient to warrant the belief that the two and a half million gallons per diem above referred to are to be found there. The point is whether it can be stored at all, and more especially whether it can be stored at a site which will make the storage supply available for use.

(Signed) WM. BISSET BERRY,
Chairman of the Cape Peninsula Commission.

The Under Colonial Secretary.

Schedule of Papers accompanying Letter from Chairman of Cape Peninsula Commission to Under Colonial Secretary, dated 5th August, 1902.

(*a*) Report by Mr. Westhofen, dated 12th June, 1902.
(*b*) Memorandum by Mr. Stewart, dated 10th July, 1902.
(*c*) Report by Mr. Westhofen, dated 15th July, 1902.
(*d*) Report by Mr. Westhofen, dated 24th July, 1902.
(*e*) Memorandum by Mr. Stewart, dated 4th August, 1902.

[*a*]

CAPE PENINSULA COMMISSION—PROPOSED SURVEYS FOR.

The Chief Inspector.

Scheme A. Survey of the Orange Kloof River Watershed from the tunnel down to the extreme boundaries of the Orange Kloof Farm.

It is quite impossible to give more than an approximate estimate of the cost of the surveys desired by the Commission inasmuch as none of our Officers know sufficient about the localities, the means of approaching them and the labour which may be required to carry them out.

It would, however, I think, be safe enough to assume that the survey of the Orange Kloof watershed above the farm which has been acquired by the Wynberg Municipality could be done in say 25 days if done by one officer or in probably 16 to 17 days if two officers were engaged. The expenditure in either case should not exceed £5 per day in the first case or a total of £125, and say £7 10s. per day in the second case with about the same total.

Such a survey would comprise the mapping out of the watershed, the record of the levels at which water could be intercepted and either led over the Constantia Nek or passed through a tunnel or alternatively pumped over the Nek.

It would further comprise the levelling of one or more sites upon which a storage Reservoir could be constructed, and the area, depth, and contents of such reservoir.

The amount above stated would not however include any gaugings of the flow of water as it is understood that the quantity of water running past the farm amounts, according to the Chairman's note, to about 1,000 million gallons per annum. Neither will it include the cost of any plans or designs required in connection with any works which may hereafter be decided upon.

Scheme C. Survey of the watershed of the Palmiet River and of probable sites for one or more large storage reservoirs.

The preliminary surveys on similar lines to Scheme "A" would take about 35 to 40 days for two officers. The transport difficulties would not be so great inasmuch as the officers would have to go into camp.

I estimate the cost of this survey at £300.

With regard to the necessary gaugings of the stream or streams I would estimate that one or more gauge weirs would cost from £100 to £120 each to construct.

The cost of keeping a man to record the runs during eighteen months would be about £12 to £15 per month according to circumstances, or a total cost for this service of say £270.

Scheme D. Surveys of the watershed of the 24 Rivers Stream, and of probable sites for one or more storage reservoirs.

The survey would probably take a week longer than that of Scheme "C" as the Winterhoek is high and more inaccessible, and the flow divides into a number of kloofs, all of which would have to be taken into consideration.

I should say this survey would take 50 days and cost £350.

The cost of gauge weirs and of the observer to be stationed at the site for say 18 months would be the same as in Scheme "C."

To sum up therefore the 3 surveys would cost £775, approximately, and the gaugings of flow-off in Schemes C and D may cost about £1,000.

(Signed) W. WESTHOFEN,
Engineer, P.W.D.

P.S.—It may be necessary, in order that these proposed surveys could be made available for the practical construction of any Works, the designs of which should be based upon them, to have the areas computed and the boundaries verified by a sworn Government Surveyor.

In such cases a sum of about £100 will have to be added to the above totals in the case of each scheme which may require the services of such Government Surveyor.

W. W.

12th June, 1902.

[*b*]

CAPE PENINSULA COMMISSION.

Observations on Proposed Sources of Supply.

Memorandum.

I consider that in order to compare the relative merits of schemes, observations on the rainfall and run-off should be taken over at least two dry seasons.

Fewer observations than these will suffice to give a rough idea of whether the scheme is suitable or not, but it will not enable a thorough comparison to be made. In my opinion the following observations should be taken:—

Orange Kloof. No rainfall observations are required. A careful survey of the site of the proposed reservoir and numerous pits should be sunk over the proposed site for the dam. These pits should not be further apart than 100 feet. If it is decided to construct a tunnel, boreholes should be put down on the proposed route.

Note. No reliable estimate of the cost of works can be arrived at without the above information.

Palmiet River. Eight or ten rain gauges should be placed in this area—four at least of these gauges should be observed after every rain and the remainder at intervals of a month. At least one river moasuring gauge should be put in, but it is desirable to have more. Observations should be taken both of the water flowing over these gauges when the stream is rising or falling or in flood at intervals of four to six hours.

It is desirable, but not absolutely necessary, that the measuring weir in the river should be supplied with an automatic measuring apparatus.

Twenty Four Rivers. A river measuring gauge should be provided. The depth of water flowing over this gauge should if possible be recorded by a self-recording apparatus. Plane table survey of the catchment area will be quite sufficient in the first instance. It is not necessary in my opinion to get the extent of the catchment area closer than 5 %.

Note. I wish to point out that while these observations will be useful in getting at the capacity of the areas named they will not afford any indication of the cost of the works. To enable this to be done, pits should be sunk on the proposed sites of the reservoirs and observations taken of the nature of the ground to be met with. This is work that should be put into the hands of an engineer thoroughly experienced in the designing and construction of waterwerks.

(Signed) THOMAS STEWART.

10th July, 1902.

[*c*]

Office of the Chief Inspector of Public Works,
Cape Town, 15th July, 1902.

CAPE PENINSULA COMMISSION—LETTER FROM, DATED 10TH JULY, 1902.

The Chief Inspeector.

Scheme A.—Orange Kleof Watershed, below Woodhead Tunnel Intake.

1. Mr. Stewart, in his memorandum dated 10th July, states that no rainfall observations are required. I presume, therefore, that Mr. Stewart is in a position to supply the necessary information when necessary.

2. With regard to the gaugings of the Orange Kloof stream, I understood Mr. Stewart to say that the Wynberg Municipality could supply this information, and it would be advisable for the C. P. Commission to apply to the Council for all the data that body is in possession of.

3. The Chairman instructed us to assume that an amount of 1,000 million gallons per annum is available, but the point at which that supply can be tapped is not indicated, although it is possible that the Wynberg gaugings might settle the point.

4. A note by the Chairman on the copy of my report states that storage provision should be made for a dry period of 200 days at two millions of gallons per day. Unless replenishment is secured by rainfall or river flow the storage reservoir should therefore have a capacity of 400 millions of gallons.

5. If replenishment takes place as above indicated, it might not be necessary to provide so large a quantity; but in that case it should be known at what periods of time replenishment occurs and what it amounts to. Stream gaugings at stated times would supply the information, and would enable us to determine approximately the capacity of the reservoir for storage.

6. There is, however, a second consideration which comes into play here, namely, the level at which such a reservoir could be constructed. If the Storage Reservoir of full capacity can be constructed at a level which would allow the conveyance of the water over the Constantia Nek, it would of course be the most satisfactory and most economical scheme. But if, as circumstances seem to indicate, the whole of the river flow cannot be dealt with in this manner, and that the whole or a portion of it will have to be passed either through a tunnel or a deep cutting on the Constantia Nek, then it is absolutely necessary first to ascertain correctly what the proportion of such water would be of the whole quantity stored, and whether it would not be cheaper to construct two or more reservoirs at different levels.

7. In that case the highest reservoir would discharge by gravity over Constantia Nek, and the next higher through a tunnel or cutting; provided of course that the site of the second reservoir is not found sufficiently extended to provide for a reservoir of sufficient capacity te take the combined storage of the two.

8. The balance of the flow would of course require to be pumped, but owing to the great cost and trouble entailed by pumping operations, the latter should only be resorted to in the last instance.

9. The cost of the necessary surveys to establish the facts needed for a final decision on this scheme would be about £150; but this sum would not include the taking of gaugings at any gauge weir now existing or which may hereafter be constructed.

10. Should it be necessary for the purposes of preparing designs for a definite scheme that the boundaries should be verified, and the acres computed by the Government Surveyor, a sum of about £100 will have to be added to the above amount.

11. With regard to the investigation, viz., trial pits or borings to prove the nature of the foundations of Storage Reservoirs or tunnel or cutting—such would of course form part of the preliminary investigations of any scheme which may be formulated, but they do not, strictly speaking, belong to the details of a preliminary survey.

(Signed) W. WESTHOFEN.

[*d*]

The Chief Inspector.

I subjoin here the estimates for the three other surveys desired by the Commission, namely—

Scheme B: Palmiet River.
,, *C:* Twenty Four Rivers.
,, *D:* Oliphant's Hoek River.

As a preliminary to the survey, it would be necessary for the Commission, or for the Government, to obtain for the officers directing the surveys, and their assistants and labourers—

(1) Access at all times to all the lands within the catchment area of each river, whether on foot, on horseback, or by cart or wagon;
(2) Permission to put up tents or temporary huts;
(3) Permission to put up rain gauges;
(4) Permission to construct gauge weirs;
(5) Permission to excavate and remove sand, gravel, stone, or other material, for building the gauge weirs and fixing the rain gauges;
(6) Permission to make any excavation—such as trial pits—to ascertain the nature of subsoil and foundations;
(7) Permission to take borings where necessary for the same purpose as in 6.

I have not in these estimates included the cost of taking borings or digging trial pits or trenches, as it is manifestly a difficult matter to form such an estimate at any time, the number and depth of such pits being entirely unknown. Should pumping, for instance, become necessary, or should the pits require to be timbered or otherwise made safe for the men working therein, the cost would be materially increased.

24th July, 1902.

(Signed) W. WESTHOFEN,
Engineer, P.W.D.

PALMIET RIVER.

Scheme B.

Survey of the Watershed of the Palmiet River and of Probable Sites for One or More Storage Reservoirs.

1. From rough map measurements it would appear that the catchment area of this river extends to about 15 square miles.

2. I presume that there should not be less than 3 rain gauges set up at suitable points.

3. As there are two principal streams it would be advisable to provide two gauge weirs.

4. I estimate the cost of an ordinary rain gauge at £3,—original cost.

5. I estimate the cost of a rain gauge suitable for weekly readings at £4,—original cost.

6. I estimate the cost of a self-registering gauge (Negretti & Zambra's) at £13,—original cost at Cape Town.

7. In each case the cost of transport to site would be about £2, in addition to the above.

8. Gauges set up in localities exposed to storms and attacks by cattle or men would have to be strongly built and protected, and I estimate the cost in each case at £9.

9. Three ordinary rain gauges would therefore cost £42.
,, weekly read ,, ,, ,, ,, ,, £45.
,, self-registering ,, ,, ,, ,, £72.

10. Each gauge weir might be estimated to cost £125, or for the two weirs £250.

11. The period of time necessary for a preliminary survey would be say 40 days, and the cost say £350.

12. One officer only would be required to read the 3 gauges and attend to the rainfall measurements.

13. If the observations are to extend over two years it would be necessary to provide him with a temporary house at a suitable point in the locality, for which a sum of £100 (first cost less sale price after termination) must be provided.

14. It would not be safe to allow less than £20 per month for salary.

15. A horse would also have to be provided but the difference between first cost and sale price would not be material.

16. I estimate therefore the cost of observations in this instance to be say £600 if extending over two years.

	Ordinary.	Weekly.	Self-Registering.
Cost of Three rain gauges ..	42	45	72
,, Gauge weirs	250	250	250
,, Survey	350	350	350
,, Observations	600	600	600
Totals ..	1242	1245	1272.

TWENTY FOUR RIVERS.

Scheme C.

Survey of the Watershed of the Twenty Four Rivers Stream and of probable sited for One or More Storage Reservoirs.

1. Catchment area based on rough map measurements is about 72 square miles.
2. Eight rain gauges should suffice.
3. Three gauge weirs would probably suffice.
4. The probable cost of rain gauges of whichever pattern might be selected would be the same as in the case of the Palmiet River proposal.
5. The probable cost of gauge weirs would also be about the same as in the Palmiet River case.
6. The time necessary for preliminary survey would be about 90 days and the cost say £650.
7. In this case two officers would be required to carry out this service, as it would be impossible for one man to undertake the necessary duties, but after the survey is completed and during the summer months when little or no rain can be expected, a reduction could be made.
8. I estimate therefore the cost of observations in this instance at say £900 if extending over two years.

	Ordinary.	Weekly.	Self-registering.
Cost of 8 rain gauges ..	117	120	192
,, 3 gauge weirs ..	375	375	375
,, Survey	650	650	650
,, Observations ..	900	900	900
Totals ..	2037	2045	2117

OLIPHANT'S HOEK.

Scheme D.

Survey of the Watershed of the Oliphant's Hoek Stream, and of Probable Sites for One or More Storage Reservoirs.

1. Catchment area based on rough map measurements is about 36 square miles.
2. Four to five rain gauges should suffice.
3. One gauge weir should suffice, as I am given to understand that the stream is well defined.
4. Cost of rain gauge of whichever pattern may be selected, same as in the Palmiet River case.
5. Cost of gauge weir same also.
6. Preliminary survey would probably extend over 60 days, and would cost, say £400.
7. One officer with an occasional assistant during wet season would suffice.
8. I estimate the cost of observation in this case if extending over two years at £700.

	Ordinary.	Weekly.	Self-Registeing.
Cost of 5 rain gauges	70	75	120
,, gauge weir	125	125	125
,, Survey	400	400	400
,, Observations	700	700	700
Totals	1,295	1,300	1,345

24th July, 1902.

MEMO. ON REPORT BY MR. W. WESTHOFEN TO CHIEF INSPECTOR OF PUBLIC WORKS DATED THE 15TH OF JULY, 1902.

1. Referring to the first paragraph in Mr. Westhofen's report I would point out that there is much information in the published reports of the Meteorological Commission which is applicable to the catchment area of Orange Kloof. I have, of course, additional information in my possession which I will use in arriving at conclusions regarding the capabilities of Orange Kloof.

2. I may state that the Council erected a stream measuring gauge in Orange Kloof more than a year ago, but I am not aware whether readings have been taken regularly or not.

3. Referring to paragraphs Nos. 6 and 7 in Mr. Westhofen's report I think the question of building two reservoirs in Orange Kloof may be summarily dismissed. The only suitable site for a large reservoir is below the level of Constantia Nek.

4. I consider that the most important question remaining to be settled in Orange Kloof is the suitability and cost of a site for the storage reservoir.

(Signed) THOMAS STEWART.

St. George's Chambers,
Cape Town, 4th August, 1902.

Colonial Secretary's Office,
Local Government and Health Branch,
Cape Town, Cape of Good Hope,
13th August, 1902.

G/729.
1780.

SURVEYS OF SOURCES OF WATER SUPPLY.

SIR,—In acknowledging the receipt of your letter of the 5th instant, requesting the authority of the Colonial Secretary for incurring the necessary expenditure on the surveys of probable sources of water supply for the use of Cape Town and Suburban Municipalities, I am directed to inform you that the Colonial Secretary has had this matter under special consideration, but that he is not prepared to sanction the proposed outlay, as it is considered that such charges should be borne by the responsible Local Authorities eventually concerned.

(Signed) NOEL JANISCH,
Under Colonial Secretary.

The Secretary to the Cape Peninsula Commission,
House of Assembly, Cape Town.

APPENDIX L.

STATEMENTS

OF

MUNICIPAL LOANS Raised, Repaid and Outstanding

On the 31st December, 1901.

Sea Point . .	. .	. .	L (1)
Cape Town	. .	. .	L (2)
Woodstock	. .	. .	L (3)
Mowbray . .	. .	. .	L (4)
Rondebosch	. .	. .	L (5)
Claremont . .	. .	. .	L (6)
Wynberg . .	. .	. .	L (7)
Kalk Bay . .	. .	. .	L (8)
Simon's Town	. .	. .	L (9)
Summary . .	. .	. .	L (10)

STATEMENTS re Loans raised, repaid and outstanding, and of the

I

Green and Sea Point as on 31st December, 1901.

Amount Authorized.	Description or Purpose.	Date when Raised.	Description of Debt.	Rate.	When Redeemable.	Amount Raised.	Amount of unused Authority
	General.					£ s. d.	£ s.
£							
3,000	General Improvements	Apl. 1887	Debentures	5 per cent.	1906	3,000 0 0	..
2,000	Do. Do.	,, 1888	Do.	5 per cent.	1907	2,000 0 0	..
3,000	Town Hall and Grounds.. ..	..	..	..	..	..	3,000 0
4,000	Roads, &c., and General Improvements	Aug. 1895	Debentures	4 per cent.	1915	4,000 0 0	..
4,000	Town Hall	Aug. 1897	Loan Std. Bank	3½ per cent.	1917	4,000 0 0	..
2,050	Survey of Municipality, Street Name Plates, &c.	Apl. 1900	Debentures	4 per cent.	1919	2,050 0 0	..
612	Town Hall (renovation) .					612 0 0	..
2,700	Stable Buildings					2,700 0 0	..
1,888	Storm Overflows					1,888 0 0	..
8,500	Town Hall	June and Nov. 1901	Do.	4 per cent.	1917	8,500 0 0	..
	Stable Buildings						
	Road Improvements						
14,500	Kerbing and Guttering Streets, Workmen's Quarters and alteration Town Hall	..	..	..	..	..	14,500 0
46,250						28,750 0 0	17,500 0
	Waterworks.						
6,000	Waterworks	Aug. 1897	Loan Std. Bank	3½ per cent.	1917	6,000 0 0	..
1,500	Do.	Apl. 1900	Debentures	4 per cent.	1919	1,500 0 0	..
7,500						7,500 0 0	
	Drainage and Sewerage.						
23,000	Drainage Works	June 1896	Loan Std. Bank	3½ per cent.	1916	23,000 0 0	..
12,500	Do. Do.	Aug. 1897	Do.	3½ per cent.	1917	12,500 0 0	..
10,000	Do. Do. ..	May 1898	Do.	4 per cent.	1903	10,000 0 0	..
1,250	Drainage Ventilators	Apl. 1900	Debentures	4 per cent.	1919	1,250 0 0	..
5,000	Drainage (Sewer Flushing and Ventilation Works) .. .	Jan. 1901	Do.	4 per cent.	1917	5,000 0 0	..
51,750						51,750 0 0	
	Grand Totals.						
105,500						88,000 0 0	17,500 0 0

Expenditure in connection therewith to the 31st December, 1901.

(1). APPENDIX L.

Amount Repaid.	Debt Outstanding.	Present Annual Charge.		Amount expended out of Loan or purpose for which authorized.	Amount expended out of other Loan Moneys.	Amount spent on some other Purpose.		Balance Unexpended.	
		Interest.	Sinking Fund.			Purpose.	Amount.	In Hand.	Lent to some other Loan Account.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.
..	3,000 0 0	150 0 0	..	3,000 0 0	..	..	..	..	..
..	2,000 0 0	100 0 0	..	2,000 0 0	..	..	..	..	..
..	..	..	..	..	..	..	..	..	..
..	4,000 0 0	160 0 0	..	4,000 0 0	..	..	..	..	..
..	4,000 0 0	140 0 0	..	4,000 0 0	..	..	..	..	..
..	2,050 0 0	290 0 0	..	1,948 12 6	..	..	..	..	101 7 6
..	612 0 0			612 0 0	..	..	..	..	..
..	2,700 0 0			2,700 0 0	..	..	..	..	..
..	1,888 0 0			1,836 3 2	..	..	..	..	51 16 10
..	8,500 0 0	340 0 0	..	125 1 3	..	..	..	3,390 2 1	..
				2,311 17 6	..	..	..		
				2,672 19 2	..	..	..		
..	..	..	..	..	..	..	..	..	..
	28,750 0 0	1,180 0 0		25,206 13 7	..	..	..	3,390 2 1	153 4 4
..	6,000 0 0	210 0 0	..	6,000 0 0	..	..	..	..	..
..	1,500 0 0	60 0 0	..	1,500 0 0	..	..	..	..	..
	7,500 0 0	270 0 0		7,500 0 0	..	..	..	..	..
..	23,000 0 0	805 0 0	..	23,000 0 0	..	..	..	..	..
..	12,500 0 0	437 10 0	..	12,500 0 0	..	..	..	..	..
..	10,000 0 0	400 0 0	..	10,000 0 0	772 19 2	..	..	..	..
	1,250 0 0	50 0 0	..	825 2 3	..	..	..	..	424 17 9
..	5,000 0 0	200 0 0	..	4,778 7 2	..	..	..	26 15 9	194 17 1
	51,750 0 0	1,892 10 0		51,103 9 5	772 19 2	..	..	26 15 9	619 14 10
	88,000 0 0	3,342 10 0		83,810 3 0	772 19 2	..	..	3,416 17 10	772 19 2

L

Cape Town as on 31st December, 1901.

Amount Authorized.	Description or Purpose.	Date when raised.	Description of Debt.	Rate.	When redeemable.	Amount raised.	Amount of unused Authority.
£	*General.*					£ s. d.	£ s.
	Fruit and Vegetable Markets (Old).						
	Old Fish Market						
	Shambles						
* 2,200	Contribution towards Public Works	1868	Debentures	5 per cent.	1892	2,200 0 0	..
* 5,000	Contribution towards Flushing	1872	Do.	5 ,,	1892	5,000 0 0	..
* 1,000	Scheme	1882	Do.	6 ,,	1892	1,000 0 0	..
* 39,500	Contribution towards Small-pox Hospital, &c.	1883	Do.	5 ,,	1922	†39,500 0 0	..
	House and Stables, Rutger-street ..						
	Street Improvements						
	Washhouses						
41,700	Redemption of existing Loans ..	1892	Do.	4 per cent.	1942	‡8,200 0 0	28,850 0
		1896	Do.	4 ,,	1943	4,650 0 0	
50,000	City Hall	1896	Do.	4 ,,	1943	7,046 0 0	24,154 0
		1899	Do.	3½ ,,	1949	18,800 0 0	
20,000	Baths and Sea Promenade	..	..	..	..	..	20,000 0
8,000	New Fish Market	1899	Do.	3½ per cent.	1949	8,000 0 0	..
17,000	Opening-up of Streets	1896	Do.	4 ,,	1943	17,000 0 0	..
20,000	Wood-paving	..	..	..	..	..	20,000 0
709	Reflotation Expenses	1893	Do.	4 per cent.	1943	709 0 0	..
13,388	Sundry Public Improvements	1893	Do.	4 ,,	1943	1,066 0 0	..
		1896	Do.	4 ,,	1943	12,322 0 0	..
10,000	Athletic Grounds	1898	Do.	3½ ,,	1948	10,000 0 0	..
35,000	Making-up and Sewering New Streets	1898	Do.	3½ ,,	1948	12,000 0 0	15,954 0
		1899	Do.	3½ ,,	1949	7,046 0 0	
25,000	Pier and Sea Promenade	..	..	..	..	..	25,000 0
20,000	Paving Dock-road with Granite Setts	..	..	..	..	..	20,000 0
150,000	Making-up Private or Unadopted Streets	..	..	..	..	..	150,000 0
366,000	Improvement of Adopted Streets ..	..	..	..	..	..	366,000 0
60,000	Plant and Buildings, Street Depôts, &c.	..	..	..	.	.	60,000 0
40,000	Salt Water System ..	..	..	..	..	..	40,000 0
40,000	Refuse Destructors	..	..	..	..	..	40,000 0
100,000	City Hall	..	..	..	..	..	100,000 0
19,000	Expropriation of Land (Adderley-Street)	..	..	..	.	..	19,000 0
12,000	Markets—Fruit, Vegetable, Produce and Fish	..	..	..	..	..	12,000 0
15,000	Washhouses	..	..	..	..	..	15,000 0
16,000	Salt Water Swimming Baths ..	..	..	..	..	..	16,000 0
1,126,497			..	..	..	154,539 0 0	971,958 0

(2). **APPENDIX L.**

Amount repaid.	Debt Outstanding.	Present Annual Charge.		Amount expended out of Loan on purpose for which authorized.	Amount expended out of Revenue on purpose concerned.	Amount temporarily spent out of Revenue balance pending flotation of Loans.	Total Expenditure on purpose concerned from all sources.
		Interest.	Sinking Fund.				
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
				5,500 0 0	105 14 6	..	5,605 14 6
				3,300 0 0	40 0 8	..	3,340 0 8
				6,600 0 0	152 7 1	..	6,752 7 1
2,200 0 0			..	4,000 0 0	107 0 0	..	4,107 0 0
5,000 0 0			..				
1,000 0 0			..	7,000 0 0	..	..	7,000 0 0
2,050 0 0	27,450 0 0	1,372 10 0	1,128 10 0				
				11,300 0 0	8,501 0 0	..	19,801 0 0
				3,000 0 0	..		3,000 0 0
				5,000 0 0	5 9 7		5,005 9 7
				2,000 0 0	432 16 6	..	2,432 16 6
	8,200 0 0	328 0 0	61 0 0	12,850 0 0	..	..	12,850 0 6
	4,650 0 0	186 0 0	..				
	7,046 0 0	281 16 10	..	25,846 0 0	..	6,980 11 11	32,826 11 11
	18,800 0 0	658 0 0	.				
..	..	..	..	..	..	..	..
.	8,000 0 0	280 0 0	..	8,000 0 0	978 18 2	..	8,978 18 2
.	17,000 0 0	680 0 0	..	17,000 0 0	1,817 16 8	..	18,817 16 8
..	..	..	..	..	..	..	..
.	709 0 0	28 7 2	..	709 0 0	7,852 19 3	..	8,561 19 3
..	13,388 0 0	42 12 10		13,388 0 0	6,526 6 0	..	19,914 6 0
..		492 17 7	..				
.	10,000 0 0	350 0 0	..	10,000 0 0	4,583 5 10	..	14,583 5 10
..	19,046 0 1	420 0 0	..	19,046 0 0	6,024 1 9	1,925 8 2	26,995 9 11
		246 12 2	..				
	..	..	.	..	..	..	..
..	..	..	..	..	..	0 17 6	0 17 6
..	..	..	..	..	..	..	..
..	..	..	..	..	..	2,774 18 8	2,774 18 8
..	..	..	..	..	9,749 6 1	40,000 0 0	49,749 6 1
..	..	..	..	..	..	..	..
..	..	..	..		..	..	..
..	..	..	..	..	..	..	..
..	..	..	..		2,939 2 0	19,000 0 0	21,939 2 0
..	..	..	..	..	29,938 16 10	8,401 9 11	38,340 6 9
..	..	..	..	..	..	..	..
..	..	..	.	..	..		
0,250 0 0	134,289 0 0	5,366 16 7	1,189 10 0	154,539 0 0	79,755 0 11	79,083 6 2	313,377 7 1

Continued on next page.

L

Cape Town as on 31st December, 1901.—(*continued*).

Amount Authorized.	Description or Purpose.	Date when raised.	Description of Debt.	Rate.	When redeemable.	Amount raised.	Amount of unused Authority
£	*Waterworks.*					£ s. d.	£ s.
*50,000	Purchase of Platteklip Water Rights, &c.	1883	Debentures	5 per cent.	1922	†50,000 0 0	..
*1,650		1887	Do.	5 ,,	1897	1,650 0 0	..
*10,000	Additional Water Storage. New Main and Service Pipes	1888	Do.	4½ ,,	1898	10,000 0 0	..
*17,700		1889	Do.	4½ ,,	1899	17,700 0 0	..
*6,000		1890	Do.	4½ ,,	1900	6,000 0 0	..
*4,700		1891	Do.	4½ ,,	1901	4,700 0 0	..
*36,200	Reconstruction, Molteno Reservoir	1884	Do.	5 ,,	1892	36,200 0 0	..
*25,000	Woodhead Tunnel and Pipe Track ..	1888	Do.	5 ,,	1892	25,000 0 0	..
50,000	Water Storage, Table Mountain ..	1893	Do.	4 ,,	1943	50,000 0 0	..
7,984	Special Waterworks Expenses, Sea Point, &c.	1893	Do.	4 ,,	1943	7,984 0 0	..
97,000	Water Storage, Table Mountain ..	1893	Do.	4 ,,	1943	97,000 0 0	..
145,250	Redemption of existing Loans ..	1893	Do.	4 ,,	1943	101,250 0 0	28,850 0
		1896	Do.	4 ,,	1943	15,150 0 0	
3,766	Reflotion Expenses	1893	Do.	4 ,,	1943	3,766 0 0	..
147,000	Additional Storage Reservoir ..	1898	Do.	3½ ,,	1948	28,000 0 0	53,000 0
		1899	Do.	3½ ,,	1949	66,000 0 0	
50,000	Water Mains Comprehensive Scheme	..	..	..	..	..	50,000 0
40,000	Service Reservoir, Kloof Nek ..	..	..	..	..	..	40,000 0
692,250	..	..	.	..	..	520,400 0 0	171,850 0
	Drainage and Sewerage.						
*10,500	Various Old Works .. .	1883	Debentures	5 ,,	1942	10,500 0 0	..
*12,000	Intercepting Sewer, District VI ..	1877	Do.	5 ,,	1892	12,000 0 0	..
*6,075	Survey and Drainage of Cape Town	1888	Do.	4½ ,,	1898	6,075 0 0	..
28,575	Redemption of Existing Loans ..	1892	Do.	4 ,,	1942	18,075 0 0	..
		1896	Do.	4 ,,	1943	10,500 0 0	..
5,232	Sundry Public Improvements ..	1896	Do.	4 ,,	1943	5,232 0 0	..
162,000	Comprehensive Drainage Scheme ..	1892	Do.	4 ,,	1942	†151,775 0 0	..
		1893	Do.	4 ,,	1943	10,225 0 0	..
100,000	Completion of Drainage Scheme and Sea Outfall	1898	Do.	3½ ,,	1948	41,000 0 0	..
		1899	Do.	3½ ,,	1949	59,000 0 0	..
135,000	Stormwater Sewer (Scheme B) ..	1898	Do.	3½ ,,	1948	9,000 0 0	51,046 0
		1899	Do.	3½ ,,	1949	74,954 0 0	
250,000	Stormwater Drainage (Scheme A) ..	..	..	..	..	..	250,000 0
709,382	..	..	..	.	..	408,336 0 0	301,046 0
	Electric Lighting.						
90,000	Electric Installation (Original)	1893	Debentures	4 per cent.	1943	90,000 0 0	..
100,000	Additional Plant, &c.	..	..	..	..	..	100,000 0
190,000	..	..	..	..	..	90,000 0 0	100,000 0
2,718,129	*Grand Totals*	..	.	..	..	1,173,275 0 0	1,544,854 0

* Authorities since superseded. † Repayable by annual drawings, commencing in 1890. ‡ Repayable by annual drawings commencing in 1902.

Note I.—Sinking Funds have now been provide

Note II.—The amounts expended out of Revenue are greatly understated; the figures given being the sums pai

(2)—(*continued*).

APPENDIX L.

nount repaid.	Debt Outstanding.	Present Annual Charge.		Amount expended out of Loan on purpose for which authorized.	Amount expended out of Revenue on purpose concerned.	Amount temporarily spent out of Revenue balance pending flotation of Loans.	Total Expenditure on purpose concerned from all sources.
		Interest.	Sinking Fund.				
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
2,550 0 0	27,450 0 0	1,372 10 0	1,128 10 0	..	..	..	..
1,650 0 0	..	..	..	..	..	..	..
0,000 0 0	..	..	..	14,000 0 0	125 14 9	..	14,125 14 9
7,700 0 0	..	..	..	58,050 0 0	4,171 15 0	..	62,221 15 0
6,000 0 0	..	..	..	18,000 0 0	456 17 4	..	18,456 17 4
4,700 0 0	..	..	..	..	..	..	
6,200 0 0	..	.	..	36,200 0 0	1,294 18 11	..	37,494 18 11
5,000 0 0	..	..	..	25,000 0 0	18,569 2 5	..	43,569 2 5
..	50,000 0 0	2,000 0 0	..	50,000 0 0	..	..	50,000 0 0
..	7,984 0 0	319 7 2	..	7,984 0 0	373 4 8	..	8,357 4 8
..	97,000 0 0	3,880 0 0	..	97,000 0 0	6,182 3 9	..	103,182 3 9
..	101,250 0 0	4,050 0 0	..	‖ ..	..	..	‖ ..
..	15,150 0 0	606 0 0	.	‖ ..	..	..	‖ ..
..	3,766 0 0	150 12 10	..	3,766 0 0	..	..	3,766 0 0
..	94,000 0 0	980 0 0	..	94,000 0 0	16,797 3 6	15,754 2 0	126,551 5 6
		2,310 0 0	..			348 15 8	348 15 8
..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..
3,800 0 0	396,600 0 0	15,668 10 0	1,128 10 0	404,000 0 0	47,971 0 4	16,102 17 8	468,073 18 0
0,500 0 0	..	..	..	10,500 0 0	65 2 1	..	10,565 2 1
2,000 0 0	..	..	..	12,000 0 0	2,553 15 10	.	14,553 15 10
5,075 0 0	..	..	..	6,075 0 0	15 3 9	..	6,090 3 9
..	18,075 0 0	723 0 0	137 0 0	‖ ..	..	..	‖ ..
..	10,500 0 0	420 0 0	..	‖ ..	..	..	‖ ..
..	5,232 0 0	209 5 7	..	5,232 0 0	..	..	5,232 0 0
..	162,000 0 0	6,071 0 0	1,141 0 0	162,000 0 0			
..		409 0 0	.		51,921 12 0	..	313,921 12 0
..	100,000 0 0	1,435 0 0	..	100,000 0 0			
..		2,065 0 0	.				
..	83,954 0 0	315 0 0	..	83,954 0 0	2,172 6 6	18,650 19 10	104,777 6 4
..		2,623 7 10	.				
	..	..	.	..	..	..	..
3,575 0 0	379,761 0 0	14,270 13 5	1,278 0 0	379,761 0 0	56,728 0 2	18,650 19 10	455,140 0 0
..	90,000 0 0	3,600 0 0	..	90,000 0 0	1,034 19 5	..	91,034 19 5
..	.	..		..	14,925 10 4	33,546 8 11	48,471 19 3
..	90,000 0 0	3,600 0 0	..	90,000 0 0	15,960 9 9	33,546 8 11	139,506 18 8
1,625 0 0	1,000,650 0 0	38,906 0 0	3,596 0 0	1,028,300 0 0	200,414 11 2	147,383 12 7	1,376,098 3 9

‖ Amount raised expended in redeeming previous Loans.

r the whole of the existing Loans.
to the Loan Fund; in many instances, the extension or completion of a work was charged direct to Revenue.

L

Woodstock as on 31st December, 1901.

Amount Authorized.	Description or Purpose.	Date when raised.	Description of Debt.	Rate.	When redeemable.	Amount raised.	Amount of unused Authority.
						£ s. d.	£ s. d.
	General.						
18,000	Paying off the overdraft at the Bank, to pay the Government loan and enable the Council to construct the kerbing and guttering, form and make roads, streets and squares, also to construct an invert, as specified in the Schedule advertised	1895	Debentures falling due 1919–1944	4 per cent.	25 years	13,700 0 0	..
		1895	,,	3½ per cent.	,,	4,300 0 0	..
30,000	Kerbing and guttering streets and other works connected with Public Work	1900	Debentures falling due 1919–1941	4 per cent.	22 years	30,000 0 0	..
48,000	..	..	..		..	48,000 0 0	..
	Waterworks.						
125,000	¼ share of suburban waterworks	1900	Loan, Standard Bank	5 per cent.	1902	56,723 16 0	68,276 4
173,000	*Grand Totals*	..	.	..		104,723 16 0	68,276 4
..	Oliphant's Hoek Water Scheme	1901	Debentures falling due 1.6.1906	4 per cent.	5 years	20,000 0 0	..

L

Mowbray as on 31st December, 1901.

Amount Authorized.	Description or Purpose.	Date when raised.	Description of Debt.	Rate.	When redeemable.	Amount raised.	Amount o unused Authority.
£	*General.*					£ s. d.	£ s.
2,500	Town Hall	1893	..	..	..	2,500 0 0	.
12,500	Town Hall	1895	Debentures, S. A. Association.	4½ %	..	12,500 0 0	..
	Kerbing and Channelling						
	Repayment of Old Loan						
	Rapenberg Farm ..						
	Washhouses						
25,000	New Roads	1899–1901	Debentures South African Mutual Assurance Co.	4½ %	..	25,000 0 0	..
	Kerbing and Channelling						
	Town Hall Additions ..						
	Naming Streets, etc. ..						
	Repairs to Drinking Fountain						
	Stamps on Debentures (less Premiums)						
	Steenbras River Scheme						
16,000	..	..	..	..		..	16,000 0
56,000	..	..	..	..	..	40,000 0 0	16,000 0
	Waterworks.						
125,000	¼ Share of Suburban Municipal Waterworks	1900	Loan Standard Bank ..	5 %	1902	56,723 16 0	68,276 4 0
	Grand Totals.						
181,000	..	..	..	..	.	96,723 16 0	84,276 4 0

(3)

APPENDIX L.

Amount repaid.	Debt Outstanding.	Present Annual Charge.		Amount expended out of Loan on purpose for which authorized.	Amount expended out of other Loan Moneys.	Amount spent on some other purpose.		Balance unexpended.	
		Interest.	Sinking Fd.			Purpose.	Amount.	In hand.	Lent to Revenue Account.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.
..	13,700 0 0	548 0 0	..	40,686 8 0	..	..	..	2,313 12 0	5,000 0 0
..	4,300 0 0	150 10 0	..						
..	30,000 0 0	1,200 0 0	..						
..	48,000 0 0	1,898 10 0	..	40,686 8 0	..	..	..	2,313 12 0	5,000 0 0
..	56,723 16 0	2,836 3 10	..	55,777 9 1	..	..	..	946 6 11	..
..	104,723 16 0	4,734 13 10	..	96,463 17 1	..	..	..	3,259 18 11	5,000 0 0
.	20,000 0 0	800 0 0	..	20,000 0 0	..	..	.	..	..

(4)

Amount repaid.	Debt Outstanding.	Present Annual Charge.		Amount expended out of Loan on purpose for which authorized.	Amount expended out of other Loan Moneys.	Amount spent on some other purpose.		Balance unexpended.	
		Interest.	Sinking Fund.			Purpose.	Amount.	In hand.	Lent to Revenue Account.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.
500 0 0	..	..	..	2,500 0 0	..	..	..	..	.
				358 14 11					
				3,987 4 1					
..	12,500 0 0	562 10 0	..	2,392 17 6	..	..	..	..	1 7 3
				4,212 9 0					
				1,547 7 3					
				14,876 14 9					
				648 8 6					
				3,576 13 5					
..	25,000 0 0	1,125 0 0	..	224 5 2	.	..	..	60 15 1	4,200 8 4
				2 4 9					
				7 10 0					
				1,403 0 0					
..	..	..	..	.	..	..	..	..	..
500 0 0	37,500 0 0	1,687 10 0	..	35,737 9 4	..	..	..	60 15 1	4,201 15 7
..	56,723 16 0	2,836 3 10	..	55,777 9 1	..	..	..	946 6 11	..
500 0 0	94,223 16 0	4,523 13 10	..	91,514 18 5	..	..	..	1,007 2 0	4,201 15 7

Rondebosch as on 31st December, 1901.

Amount authorized.	Description or Purpose.	Date when raised.	Description of Debt.	Rate.	When redeemable.	Amount raised.	Amount of unused authority
	General.					£ s. d.	£ s.
3,200	Erection of Washhouses and to cover additional cost of side-paths along Main and Belmont Roads	1894	Debentures	4½ per cent.	.. ..	3,200 0 0	..
2,500	Completing and equipping the Town Hall	1899	Do.	5 ,,	..	2,500 0 0	..
18,000	Erection of Town Hall ..	..	Local Works Loan Fd.	..	..	12,550 0 0	..
	Erection of Municipal Stables ..	1899		..	40 years	2,850 0 0	..
	Redemption of Debentures ..	..	..	..	..	2,600 0 0	..
1,500	Additional cost of Town Hall ..	1900	Debentures	5 per cent.	..	1,500 0 0	..
25,200	..	..	..	..	..	25,200 0 0	..
	Waterworks.						
125,000	¼ share of Suburban Municipal Waterworks	1900	Loan, Standard Bank.	5 per cent.	1902	56,723 16 0	68,276 4
150,200	*Grand Totals*	.	..	..	..	81,923 16 0	68,276 4

Claremont as on 31st December, 1901.

Amount Authorized.	Description or Purpose.	Date when Raised.	Description of Debt.	Rate.	When Redeemable.	Amount Raised.	Amount of unused Authority
£	*General.*					£ s. d.	£ s.
2,600	Roads and Bridges	1889	Debentures	5 per cent.	..	1,855 0 0	..
	Old Debts	..				745 0 0	..
6,750	Roads and Bridges ..	1892	Annual Drawings of £100—option of repayment at end of 10 years	4½ per cent.	..	2,983 15 1	..
	Town Hall	,,				2,362 7 6	..
	Washhouses	..				1,000 0 0	..
	Property Purchased	..				151 16 11	..
	Old Debts	,,				15 18 10	..
	Contingencies	,,				236 1 8	..
7,500	Roads and Bridges ..	1894	Repayable at end of 15 years	4½ per cent.	..	5,534 18 1	..
	Washhouses	,,				1,675 0 0	..
	Town Hall	..				58 6 2	..
	Contingencies	..				231 15 9	..
16,000	Roads (including Kerbing and Guttering) and Level Crossings.	1899	Local Works Loan—33 years	4½ per cent.	..	12,485 16 4	..
	Wagon and other Sheds ..	..				520 9 10	..
	Town Hall	..				234 7 3	..
	Road Watering Plant	..				225 15 9	..
	Properties Purchased	..				831 16 0	..
	Washhouses	..				359 4 10	..
	Stormwater, Culverts, &c.	.				1,342 10 0	..
20,000	Roads under Act 41 of 1899		..	..	..	..	20,000 0
501	Roads and Bridges		..	..	..	..	501 0
1,543	Stormwater, Culverts, &c. ..		..	..	..	..	1,543 0
2,378	Stables and Shed		..	..	..	..	2,378 0
1,130	Property Purchased .. .		..	..	..	..	1,130 0
142	Washhouses	.	..	..	..	..	142 0
129	Fencing Sanitary Deposit Ground	..	..	..	..	..	129 0
177	Contingencies	..	..	..	..	..	177 0
58,850						32,850 0 0	26,000 0
	Waterworks.						
125,000	¼ Share of Suburban Municipal Waterworks	1900	Loan, Standard Bank	5 per cent.	1902	56,723 16 1	68,276 3
183,850	*Grand Totals.*					89,573 16 1	94,276 3

APPENDIX L.

Amount paid.	Debt outstanding.	Present Annual Charge. Interest.	Present Annual Charge. Interest & Sinking Fund.	Amount expended out of Loan on purpose for which authorized.	Amount expended out of other loan moneys.	Amount spent on some other purpose. Purpose.	Amount spent on some other purpose. Amount.	Balance Unexpended. In hand.	Balance Unexpended. Lent to some other Account.
s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.
..	3,200 0 0	144 0 0	..	3,188 9 8	..	..	..	..	..
..	2,500 0 0	125 0 0	..	14,263 0 4	..	Interest on overdraft	21 10 0	1,180 19 0	..
..	..	..	..	..	..	..	..	..	..
3: 17 5	17,617 2 7	..	905 15 10	2,596 1 0	..	Stenbras	..	..	..
..	..	..	..	2,600 0 0	..	Water Scheme	1,350 0 0	..	..
..	1,500 0 0	75 0 0	..	..	..	..	..	.	..
3: 17 5	24,817 2 7	344 0 0	905 15 10	22,647 11 0	..	..	1,371 10 0	1,180 19 0	..
..	56,723 16 0	2,836 3 10	..	55,777 9 1	..	..	..	946 6 11	..
3: 17 5	81,540 18 7	3,180 3 10	905 15 10	78,425 0 1	..	..	1,371 10 0	2,127 5 11	..

)

Amount paid.	Debt Outstanding.	Present Annual Charge. Interest.	Present Annual Charge. Interest and Sinking Fund.	Amount Expended out of Loan or purpose for which authorized.	Amount Expended out of other Loan Moneys.	Amount spent on some other Purpose. Purpose.	Amount spent on some other Purpose. Amount.	Balance Unexpended. In Hand.	Balance Unexpended. Lent to Revenue Account.
s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.
8) 0 0	1,800 0 0	90 0 0	..	1,855 0 0	..	..	..	..	..
				745 0 0	.	..	..	..	..
				2,962 11 3	.	..	..	..	..
				3,038 4 3	..	..	..	..	..
5) 0 0	6,250 0 0	281 5 0	..	581 8 9	..	..	..	..	..
				151 16 11	..	..	..	..	..
				15 18 10	..	..	..	..	..
..				..	..	..	..	..	..
..				5,320 15 5	..	..	..	..	..
..	7,500 0 0	337 10 0	..	2,120 18 5	..	..	..	..	..
..				58 6 2	..	..	..	.	..
..				..	..	..	..	..	..
				3,694 10 11	..	..	..		
				413 10 10	..	..	..		
				193 10 0	..	..			
1) 8 0	15,510 12 0	..	877 9 8	225 15 9	..	..	..	106 8 0	9,000 0 0
				1,044 19 6	..	..	..		
				343 14 10	..	.	..		
				977 10 2	..	..	..		
..	..	..	..	..	..	..	.	..	..
..	..	.	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..	..	..
..	..	..	.	..	..	..	..	..	..
..	..	..	..	..	..	..	.	..	..
..	..	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..	..	..
9 8 0	31,060 12 0	708 15 0	877 9 8	23,743 12 0				106 8 0	9,000 0 0
..	56,723 16 1	2,836 3 10		55,777 9 2				946 6 11	
9 8 0	87,784 8 1	3,544 18 10	877 9 8	79,521 1 2				1,052 14 11	9,000 0 0

Wynberg as on 31st December, 1901.

Amount Authorized.	Description or Purpose.	Date when raised.	Description of Debt.	Rate.	When Redeemable.	Amount raised.	Amount of unused Authority.
£	*General Purposes.*					£	£ s. d
975	Interest and Contingencies ..	1 Sep., 1890	Debentures.	5	June, 1896	975	..
2,250	Fencing Park, Kerbing New Roads	8 May, 1893	Do.	5	June, 1901	2,250	..
1,000	New Roads, Kerbing	8 Oct., 1894	Do.	4	June, 1905	1,000	..
1,673	New Roads, Kerbing	21 Aug., 1896	Do.	3½	June, 1905	1,673	..
18,500	New Roads, Municipal Buildings	7 Mar. and 5 Sep., 1898	Do.	4½	June, 1905	18,500	..
450	Municipal Stables, Kerbing and Guttering			4	June, 1905	450	..
24,848	..	..	..	..	..	24,848	..
£	*Waterworks.*					£	£ s. d
16,000	Extension of Mains—Purchase of Orange Kloof Farm ..	18 Oct., 1887	Debentures.	5	June, 1893	16,000	..
4,000	Extension of Mains and Service Reservoir	17 Dec., 1888	Do.	5	June, 1894	4,000	..
1,425	Storage Reservoir, Compensation	1 Sept., 1890	Do.	5	June, 1896	1,425	..
600	and Contingencies ..	1 Sept., 1890	Do.	4½	June, 1896	600	..
8,000	Storage Reservoir I	17 Aug., 1891	Do.	4¾	June, 1898	8,000	..
2,250	Storage Reservoir Meters .	8 May, 1893	Do.	5	June, 1901	2,250	..
1,000	Extension of Mains	8 Oct., 1894	Do.	4	June, 1905	1,000	..
8,000	Storage Reservoir II .. .	9 Sept., 1895	Do.	4	June, 1905	8,000	..
5,327	Reduction Loans, 1, 2, 3 and Meters	21 Aug., 1896	Do.	3½	June, 1905	5,327	..
11,500	Reduction Loans 1, 2, 3, Service Reservoir II, Extensions and Meters	25 Jan., 1897	Do.	3½	June, 1907	11,500	..
4,550	Service Reservoir II, Extension and Meters	7 March and 5 Sept., 1898	Do.	4	June, 1905	4,550	..
17,000	Extension Orange Kloof Main Meters; Extension of Mains	17 Jan., 1900	Do.	4½	June, 1905	13,500	3,500 0
2,000	Diep River Extension.. ..	27 Jan., 1900	Do.	4	June, 1915	2,000	..
3,000	Service Reservoir II	4 Feb., 1901	Do.	5	at 3 months notice	3,000	..
84,652		..	..	..	..	81,152	3,500 0
	Drainage and Sewerage.					£	£ s. d
60,000	Purchase of Farms; Preliminary Survey	14 June, 1899	Debentures	4½	June, 1905	7,000	43,000 0
	Drainage Pipes and Carriage ..	14 Feb., 1901	Do.	5	(at 3 m'ths notice)	10,000	
60,000			..	..	..	17 000	43,000 0
169,500	*Grand Totals*	..	..	..	..	123,000	46,500 0

(7) APPENDIX L.

Amount repaid.	Debt outstanding.	Present Annual Charge.		Amount expended out of Loan on purpose for which authorized.	Amount expended out of other Loan moneys.	Amount spent on some other Purpose.		Balance unexpended.	
		Interest.	Sinking Fund.			Purpose.	Amount.	In hand.	Lent to some other Loan Account.
£ s. d.	£	£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.
..	975	48 15 0				..	..	..	..
						..	..	..	..
..	2,250	112 10 0				..	..	..	.
..	1,000	40 0 0				..	..	..	..
.	1,673	58 11 1		24,848 0 0	380 2 7	..	..	..	..
						..	..	..	..
..	18,500	832 10 0				..	..	..	.
..	450	18 0 0				..	..	..	..
						..	..	..	..
..	24,848	1,110 6 1	..	24,848 0 0	380 2 7	..	..	.	..
£ s. d.	£	£ s. d.	..	£ s. d.	£ s. d.		£ s. d.		
00 0 0	11,200	560 0 0	..	16,000 0 0	..	..	..	..	..
00 0 0	2,900	145 0 0	..	4,000 0 0	..	..	..	..	..
00 0 0	1,025	51 5 0	..	1,090 0 1	..	..	..	..	..
..	600	27 0 0	..		..	..	..	..	..
..	8,000	380 0 0	..	8,000 0 0	..	..	..	..	..
..	2,250	112 10 0	..	2,250 0 0	..	..	..	..	..
..	1,000	40 0 0	..	1,000 0 0	..	..	..	..	..
..	8,000	320 0 0	..	8,000 0 0	..	..	..	..	..
..	5,327	186 8 11	..	527 0 0	..	Loan repaid	6,300 0 0	..	..
.	11,500	402 10 0	..	10,000 0 0	..	..	..	..	..
..	4,550	182 0 0	..	5,294 14 7	..	..	..	..	..
..	13,500	607 10 0	..	15,320 12 3	..	..	..	..	..
..	2,000	80 0 0	..	1,642 0 10	..	..	..	..	..
..	3,000	150 0 0	..	1,638 4 4	1,233 12 0	..	..	..	..
				89 7 11					
0 0 0	74,852	3,244 3 11	..	74,852 0 0	1,233 12 0	..	6,300 0 0	..	..
£ s. d.	£	£ s. d.	..	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
	7,000	315 0 0		7,000 0 0	..	..	..	..	..
					..	..	..	..	..
					..	..	..	..	..
	10,000	500 0 0		5,529 17 4	..	..	..	2,856 8 1	1,233 12 0
									380 2 7
..	17,000	815 0 0	..	12,529 17 4	..	..	..	2,856 8 1	1,613 14 7
0 0 0	119,700	5,169 10 0	..	112,229 17 4	1,613 14 7	..	6,300 0 0	2,856 8 1	1,613 14 7

I.

Kalk Bay as on 31st December, 1901.

Amount authorized.	Description or Purpose.	Date when raised.	Description of Debt.	Rate.	When Redeemable.	Amount raised.	Amount of Unused Authority.
£	*General.*					£ s. d.	£ s. d.
650	Sanitary Plant	1895	Local Works Loan, 25 Years	4 per cent.	..	650 0 0	..
3,000	Municipal Offices and Ground ..	1901	Repayable 30th June, 1908	5 per cent.	1908	3,000 0 0	..
3,000	Municipal Stables and Cottages for Employés ..	1901				3,000 0 0	..
2,000	Roads under Act 41 of 1899	1901				2,000 0 0	..
8,650	..	..	..	..	..	8,650 0 0	..
	Waterworks.						
26,000	Waterworks	1898	Repayable 30th June, 1908	4½ per cent.	1908	20,000 0 0	..
	,, ...	1899	,,	5 per cent.	,,	6,000 0 0	..
1,000	,, ...	1901	,,	5 per cent.	,,	1,000 0 0	..
27,000	..	..	..	..	..	27,000 0 0	..
35,650	*Grand Totals*	..	..	..	..	35,650 0 0	..

I.

Simonstown as on 31st December, 1901.

Amount Authorized.	Description or purpose.	Date when raised.	Description of Debt.	Rate.	When redeemable.	Amount raised.	Amount of unused Authority.
£	*General.*					£ s. d.	£ s. d.
1,125	Stables, &c.	1901	Local Works Loan,	4 per cent.	25 years.	1,125 0 0	..
	Waterworks.						
11,000	Water Supply .. .	1896	Local Works Loan,	4 per cent.	25 years.	11,000 0 0	..
2,500	New Reservoir	1898	,,	,,		2,500 0 0	..
1,346	Water Extensions	1901	,,	,,	..	1,346 0 0	..
14,846	.. .. . .		..	..	..	14,846 0 0	..
1,929	*Drainage*	1901	Local Works Loan,	4 per cent.	25 years.	1,929 0 0	..
17,900	*Grand Totals* .. .				..	17,900 0 0	..

(8)

APPENDIX L.

Amount repaid.	Debt Outstanding.	Present Annual Charge.		Amount expended out of Loan on purpose for which authorized.	Amount expended out of other Loan Moneys.	Amount spent on some other purpose.		Balance Unexpended.	
		Interest.	Interest and Sinking Fd.			Purpose.	Amount.	In hand.	Lent to Revenue Account.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	
102 2 4	547 17 8	..	41 8 10	650 0 0	..	..	..	..	
..	3,000 0 0	400 0 0	.	3,114 19 4	..	..	..	1,462 12 5	1,379 16 5
..	3,000 0 0			101 2 10					
..	2,000 0 0			1,941 9 0					
102 2 4	8,547 17 8	400 0 0	41 8 10	5,807 11 2	..	..	..	1,462 12 5	1,379 16 5
..	20,000 0 0	900 0 0	..	20,000 0 0	..	..	..	..	..
.	6,000 0 0	300 0 0	..	6,000 0 0	..	..		..	..
..	1,000 0 0	50 0 0	..	569 2 5	.	..		..	430 17 7
.	27,000 0 0	1,250 0 0	..	26,569 2 5	..	.		.	430 17 7
102 2 4	35,547 17 8	1,650 0 0	41 8 10	32,376 13 7	..	.	..	1,462 12 5	1,810 14 0

(9)

Amount repaid.	Debt Outstanding.	Present Annual Charge.		Amount expended out of Loan on purpose for which authorized.	Amount expended out of other Loan Moneys.	Amount spent on some other purpose.		Balance unexpended.	
		Interest.	Interest and Sinking Fd.			Purpose.	Amount.	In hand.	Lent to Revenue Account.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.
..	1,125 0 0	..	71 12 2	66 15 6	..	..	..	..	1,058 4 6
23 9 3	9,576 10 9	..	700 0 0	11,000 0 0	..	..	..	..	.
53 16 5	2,346 3 7	..	159 2 4	2,500 0 0	..	..	..	..	..
..	1,346 0 0	..	85 13 4	528 2 2	..	New Reserv'r	62 14 9	103 18 10	651 4 3
77 5 8	13,268 14 4	..	944 15 8	14,028 2 2	..	..	62 14 9	103 18 10	651 4 3
..	1,929 0 0	..	122 15 6	1,662 18 1	..	..	..	.	266 1 11
177 5 8	16,322 14 4	..	1,139 3 4	15,757 15 9	..	..	62 14 9	103 18 10	1,975 10 8

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Summary of Statements showing the Loans raised by certain Municipalities n amount Outstanding, &

Amount authorized.	Description or Purpose.	Date when Raised.	Description of Debt.	Rate.	When Redeemable.	Amount Raised.	Amount of unused Authority.	Amount Repaid.	Debt Outstandi
£	*General Purposes.*					£ s. d.	£ s. d	£ s. d.	£ s d
46,250	Green and Sea Point	1887–1901	Debentures, &c.	3½ to 5	1906–1919	28,750 0 0	17,500 0 0	..	28.750
1,126,497	Cape Town.. ..	1868–1899	Debentures	3½ to 6	1892–1949	154,539 0 0	971,958 0 0	20,250 0 0	154,289
48,000	Woodstock.. ..	1895–1900	Debentures	3½ to 4	1919–1944	48,000 0 0	..		48,000
56,000	Mowbray	1893–1901	Debentures	4½	..	40,000 0 0	16,000 0 0	2,500 0 0	37,500
25,200	Rondebosch ..	1894–1900	Debentures, &c.	4½ to 5	–1939	25,200 0 0	..	382 17 5	24,817
58,850	Claremont	1889–189[illegible]	Debentur[illegible]s, &c.	..	..	32,850 0 0	26,000 0 0	1,789 8 0	31,060
24,848	Wynberg	1890–1898	Debentures	3½ to 5	1896–1905	24,848 0 0	..	..	24,848
1,385,645						354,187 0 0	1,031,158 0 0	24,922 5 5	329,264
	Waterworks.								
7,500	Green and Sea Point	1897–1900	Debentures, &c.	3½–4	1917–1919	7,500 0 0	..	..	7,500
692,250	Cape Town.. ..	1883–1899	Debentures	3½–5	1892–1949	520,400 0 0	171,850 0 0	123,800 0 0	396,600
125,000	*Woodstock.. ..	1900	Loan, Standard Bank	5	1902	56,723 16 0	68,276 4 0	..	56,723 1
125,000	Mowbr y	1900	Do.	5	1902	56,723 16 0	68,276 4 0	..	56,723 1
125,000	Rondebosch ..	1900	Do.	5	1902	56,723 16 0	68,276 4 0	..	56,723 1
125,000	Claremont	1900	Do.	5	1902	56,723 16 1	68,276 3 11	..	56,723 1
84,652	Wynberg	1887–1901	Debentures	3½–5	1893–1915	81,152 0 0	3,500 0 0	6,300 0 0	74,852
1,284,402	..	..	..	..	..	835,947 4 1	448,454 15 11	130,100 0 0	705,847
	Drainage and Sewerage.								
51,750	Green and Sea Point	1896–1901	Debentures, &c.	3½–4	1903–1919	51,750 0 0	..	..	51,750
709,382	Cape Town.. ..	1877–1899	Debentures	3½–5	1898–1949	408,336 0 0	301,046 0 0	28,575 0 0	379,761
60,000	Wynberg	1899–1901	Do.	4½–5	1905	17,000 0 0	43,000 0 0	.	17,000
821,132	..	.	..	..	..	477,086 0 0	344 046 0 0	28,575 0 0	448,511
	Electric Lighting.								
190,000	Cape Town ..	1893	Debentures	4	1943	90,000 0 0	100,000 0 0	..	90.000
	Grand Totals of above.								
3,681,179	..	..	..	..	..	1,757,220 4 1	1,923,958 15 11	183,597 5 5	1,573,622
	General Purposes.								
8,650	Kalk Bay	1895–1901	Debentures, &c.	4–5	1908–1920	8,650 0 0	..	102 2 4	8,547
1,125	Simon's Town ..	1901	Local Works Loan	4	25 years.	1,125 0 0	..	..	1,125
9,775	..	..	..	..	..	9,775 0 0	..	102 2 4	9,672
	Waterworks.								
27,000	Kalk Bay	1898-1901	Debentures.	4½-5	1908	27,000 0 0	..	..	27,000
14,846	Simon's Town ..	1896-1901	Local Works Loan.	4	25 Years.	14 846 0 0	..	1,577 5 8	13,268
41,846	..	..	..	..	..	41,846 0 0	..	1,577 5 8	40,268
	Drainage and Sewerage.								
1,929	Simon's Town ..	1901	Local Works Loan.	4	25 Years.	1,929 0 0	..	..	1,929
	Grand Totals.—Kalk Bay and Simon's Town.								
53,550	..	..	..	..	..	53,550 0 0	..	1,679 8 0	51,870

* Excluding £20,000, Oliphant's Hoek Water Scheme.

he Cape Peninsula, the purposes for which such Loans have been raised, and the n the 31st December, 1901.

Present Annual Charge.			Amount Expended out of Loan on purpose for which Authorized.	Amount Expended out of other Loan Moneys.	Amount Expended out of Revenue on purpose concerned.	Amount temporarily spent out of Revenue Balance pending flotation of Loans.	Amount spent on some other Purpose.		Balance Unexpended.		
Interest	Sinking Fund.	Interest and Sinking Fund.					Purpose.	Amount.	In Hand.	Lent to some other Loan Account.	Lent to Revenue Account.
£ s. d.	£ s. d.	£ s. d.	£ s d.	£ s. d	£ s d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.	£ s. d.
..											
180 0 0	1,189 10 0	..	25,206 13 7	..	..	..	..	..	3,390 2 1	153 4 4	..
366 16 7	..	..	154,539 0 0	..	79,755 0 11	79,083 6 2	..	..	..	..	..
398 10 0	..	..	40,686 8 0	..	..	..	..	..	2,313 12 0	..	5,000 0 0
387 10 0	..	..	35,737 9 4	..	..	..	..	..	60 15 1	.	4,201 15 7
344 0 0	..	905 15 10	22,647 11 0	..	..	..	Int. on Loan overdraft & Steenbras Water Sch.	1,371 10 0	1,180 19 0	..	..
708 15 0	.	877 9 8	23,743 12 0	..	..	..	..	..	106 8 0	..	9,000 0 0
110 6 1	..	..	24,848 0 0	380 2 7	..	..	..	..	..	..	..
2295 17 8	1,189 10 0	1,783 5 6	327,408 13 11	380 2 7	79,755 0 11	79,083 6 2	..	1,371 10 0	7 051 16 2	153 4 4	18,201 15 7
270 0 0	..	..	7,500 0 0	..	..	..	..	..	..	..	..
668 10 0	1,128 10 0	..	404,000 0 0	..	47,971 0 4	16,102 17 8	..	..	..	..	..
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892 10 0	..	..	51,103 9 5	772 19 2	..	..	..	..	26 15 9	619 14 10	..
1270 13 5	1,278 0 0	..	379,761 0 0	..	56,728 0 2	18,650 19 10	..	..	..	..	..
815 0 0	.	..	12,529 17 4	..	..	..	..	..	2,856 8 1	1,613 14 7	..
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6401 10 4	3,596 0 0	1,783 5 6	1,570,246 1 1	2,386 13 9	200,414 11 2	147,383 12 7	..	7,671 10 0	13,720 7 8	2,386 13 9	18,201 15 7
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..	..	944 15 8	14,028 2 2	..	..	..	New Reservoir.	62 14 9	103 18 10	..	651 4 3
250 0 0	..	944 15 8	40,597 4 7	..	.	..	..	62 14 9	103 18 10	.	1,082 1 10
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DRAFT

BILL

TO

Provide for the Unification of the Metropolitan Municipalities of the Cape Peninsula.

WHEREAS it is expedient that the several Municipalities heretofore known respectively as the Municipalities of Cape Town, Green Point and Sea Point, Woodstock, Mowbray, Rondebosch, Claremont, Wynberg, and Maitland, should be united, unified, and incorporated as one single Municipality, and that better provision should be made for the municipal government of such Municipality:

Be it therefore enacted by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council and House of Assembly thereof, as follows:—

1. This Act shall take effect upon a date to be proclaimed by the Governor in the *Gazette*, and upon such date the Councils of the several Metropolitan Municipalities shall be dissolved and shall cease to exist.

2. In this Act, unless inconsistent with the context, the following terms shall bear the meaning set opposite to them respectively:—

Municipality.—The Municipality by this Act constituted, and formed by the unification and incorporation of the Metropolitan Municipalities.

Metropolitan Municipalities.—The Municipalities of Cape Town, Green Point and Sea Point, Woodstock, Mowbray, Rondebosch, Claremont, Wynberg and Maitland.

Council.—The Council of the Municipality.

Councillor.—A Councillor of the Municipality.

Mayor.—The Councillor chosen by the Councillors of the Municipality to be Mayor thereof.

Rating District.—Any section of the Municipality which up to the time of the taking effect of this Act constituted a separate and independent Municipality, and in which the rates made for municipal revenue are by the Council made with due regard to the special financial needs of such Rating District.

Ward.—A Sub-division of any Rating District of the Municipality.

Minister.—The member of the Executive Council of this Colony who shall for the time being be Colonial Secretary.

Resident Magistrate.—The Officer appointed as such in any Rating District of the Municipality.

3. The laws mentioned in Schedule B to this Act and so much of any other law as may be repugnant to or inconsistent with the provisions of this Act are hereby repealed; provided that the Council of the Municipality as constituted by this Act shall be subject and liable to every contract, engagement, claim, debt and demand to which the Town Council of the City of Cape Town constituted under Act 26 of 1893, as amended by Acts 15 of 1894, 25 of 1897 and 28 of 1902, and the Municipal Councils of the several Metropolitan Municipalities are subject and liable at the time of the taking effect of this Act, and the Council of the Municipality shall likewise be invested with and entitled to all the rights, assets, benefits and claims which the aforesaid Town Council and Municipal Councils are at the time of the taking effect of this Act vested with or entitled to; provided further that the repeal of the said laws shall not affect anything duly done or any right acquired or liability incurred under

and by virtue of the said laws before the taking effect of this Act; provided further that the Acts No. 45 of 1882, No. 22 of 1893 and No. 20 of 1896 are hereby repealed in so far as they apply, or have by any proclamation been made applicable to any of the said Metropolitan Municipalities; and provided further that the Acts No. 45 of 1882, No. 22 of 1893, and No. 20 of 1896 shall not apply to the Municipality by this Act constituted.

4. The Municipality shall be constituted by the incorporation and unification of the following Metropolitan Municipalities:—

(*a*) The present Municipality of Cape Town as defined by Act 26 of 1893.
(*b*) The present Municipality of Green Point and Sea Point as defined by Act 14 of 1859.
(*c*) The present Municipality of Woodstock as defined by Proclamations No. 98 of 1883 and No. 2 of 1897.
(*d*) The present Municipality of Maitland as defined by Proclamation No. 15 of 1902.
(*e*) The present Municipality of Mowbray as defined by Proclamation No. 281 of 1895.
(*f*) The present Municipality of Rondebosch as defined by Proclamations No. 228 of 1890 and No. 124 of 1896.
(*g*) The present Municipality of Claremont as defined by Proclamations No. 115 of 1886, No. 65 of 1887, No. 242 of 1889, and No. 124 of 1896.
(*h*) The present Municipality of Wynberg as defined by Proclamations No. 115 of 1886, No. 101 of 1887, No. 132 of 1887, and No. 124 of 1896.
(*i*) Such other areas as the Governor may from time to time proclaim to be Rating Districts for the purposes of this Act.

5. The Municipality shall be divided into eight rating Districts corresponding to the several Metropolitan Municipalities, and such Rating Districts shall be known as the Rating District of Cape Town, Green Point and Sea Point, Woodstock, Maitland, Mowbray, Rondebosch, Claremont, or Wynberg, as the case may be, provided that when the boundaries of the Municipality are, as by this Act provided, extended so as to include the area known as Camps Bay, such area shall constitute an additional or ninth Rating District of the Municipality.

6. The Council may at any time present to the Governor a petition praying for an extension of the boundaries of the Municipality so as to include any area adjacent to the Municipality and not lying within the boundaries of any other Municipality, and it shall thereupon be lawful for the Governor, and he is hereby empowered, if after due enquiry it shall appear to him advisable to do so, by proclamation in the *Gazette*, to extend the boundaries of the Municipality as prayed in such petition; and with regard to the area so included within the boundaries of the Municipality, the Governor may either incorporate it into one or more of the then existing wards of the Municipality, or may constitute it a separate ward of the Municipality, or may constitute it a separate Rating District consisting of one or more wards, as shall appear to him most advisable; provided that the Council shall at least three months before presenting such petition to the Governor publish in the *Gazette* a Notice of their intention to do so, and calling for objections to be lodged in writing with the Town Clerk, which objections, if any, shall be forwarded by the Town Clerk to the Governor with such petition.

7. The Rating District of Cape Town shall be divided into nine wards, the Rating District of Woodstock into two wards, the Rating District of Claremont into two wards, the Rating District of Wynberg into two wards, the Rating Districts of Sea Point and Green Point, of Maitland, of Mowbray, and of Rondebosch shall consist of one ward each, and the area known as Camps Bay, when it shall be constituted a Rating District under this Act, shall consist of one ward.

8. The boundaries of the wards of all Rating Districts which shall consist of more than one ward shall after due enquiry be defined by the Governor upon a date prior to the holding of the first general election of Councillors under this Act, and such boundaries when so defined shall be published in the *Gazette*.

THE COUNCIL.

9. There shall be in the Municipality a body corporate, which shall take and bear the name of "The Town Council of the ..... Municipality," and by that name have perpetual succession, and which shall have a common seal, shall by that name sue and be sued, and shall do all acts, and have and enjoy all the rights and privileges which bodies corporate, as such, may in this Colony do and have.

10. The Council shall consist of sixty Councillors (one of whom shall be the Mayor), of whom the Rating District of Wynberg shall elect seven Councillors, in manner following, that is to say, Ward No. 1 shall elect four Councillors, and Ward No. 2 shall elect three Councillors; and each Ward of the Rating District of Woodstock shall elect four Councillors. Every other Ward in the Municipality shall elect three Councillors, but should at any time the number of Wards be increased in accordance with the provisions of this Act, then from time to time upon any such increase occurring, the number of Councillors shall be increased by three additional Councillors for each additional Ward.

11. Every male person of full age, who is qualified to vote at elections of Councillors under this Act, shall be eligible to be elected a Councillor and qualified to hold office as such, but so long only as he shall continue to possess such qualification and not be disqualified under the terms of this Act or otherwise.

12. No person shall be qualified to be elected a Councillor, or, having been so elected, to continue to be a Councillor, who

(*a*) Has become insolvent, and has not obtained his rehabilitation,

(*b*) Has assigned his estate in trust for his creditors, so long as such estate is in liquidation,

(*c*) Is a non-naturalized alien,

(*d*) Is not qualified to be registered as a voter under this Act,

(*e*) Is of unsound mind,

(*f*) Holds any office of profit under or in the gift of the Council, or is directly or indirectly by himself or his partner concerned in or participating in the profit of any contract with the Council, or concerned in or in the profit of any work to be done under the authority of the Council, or

(*g*) Is otherwise disqualified by this Act: Provided that nothing in this section contained shall extend or apply to any contract entered into by any company, partnership or association consisting of seven or more persons, or any incorporated company, when such contract is entered into for the general benefit of such company, partnership or association; and provided that it shall be lawful for any Councillor to purchase at public sale any property or right which the Council shall offer to sell by public competition.

13. No person elected a Councillor shall have or receive any salary, or shall exact, take or accept any fee or reward whatsoever, for or on account of anything done as such Councillor, nor shall he act as agent for any ratepayer at any meeting of the committee appointed and acting under section one hundred and eight of this Act.

14. All proceedings of the Council or of any person acting as Mayor, Deputy Mayor, Councillor or Town Clerk as the case may be, shall notwithstanding that it be discovered that there was some defect in the election or appointment of any Councillor, officer or person as aforesaid, or any disqualification, be as valid and effectual as if every such Councillor, officer or person had been duly elected and qualified.

15. Any Councillor who shall cease to possess the qualification by this Act provided, or shall absent himself from meetings of the Council for four consecutive ordinary meetings without leave from the Council having been had and obtained, or who is a paid agent for a candidate at any municipal election under this Act, during his term of office shall, *ipso facto*, vacate his office, and the Mayor may at any meeting of the Council declare any such vacancy which may have occurred, subject to review, by motion, to the Supreme Court: and in case any person elected a Councillor shall die, or become disqualified under the terms of this Act, or cease to be qualified to be a Councillor, or shall resign, or shall refuse to accept the office of Councillor, or in case of any vacancy happening in any manner whatever, then such vacancy shall forthwith be filled up in the manner directed by this Act; but subject nevertheless to the provisions hereinafter made as to vacancies occurring within three months of the annual election, or within six months after the taking effect of this Act.

16. Upon a date after the passing of this Act but prior to the taking effect thereof, to be proclaimed by the Governor, a general election of Councillors of the Municipality shall be held in manner hereinafter described in sections seventeen to forty-one inclusive.

FIRST ELECTION OF COUNCILLORS.

17. For the purpose of the first election of Councillors under this Act the Voters' Rolls of the several Metropolitan Municipalities as last determined prior to the said election shall be conclusive proof of the right of each voter whose name shall appear thereon to vote, at the said first election, for the ward in which is situate the immovable property in respect of which he is entitled to vote, provided that no voter shall have more than one vote for each Councillor to be elected for such ward, and provided further that every person who shall be registered as a voter in more than one ward of the Municipality, shall be entitled to select the ward in which he will vote, and should he decline or fail to make such selection he shall be registered as a voter in such ward as the returning officer may think proper.

18. The Civil Commissioner of the Cape or such other person as the Governor shall appoint shall be the returning officer at such first election, and such election shall be held before such returning officer; provided always that no returning officer shall be or become a candidate for office at such election.

19. The Minister shall, not less than twenty-one days prior to such first election, publish a notice of such election in one or more local newspapers, and in such notice shall specify a day, not being less than ten or more than fourteen days from the date of giving of such notice, as the day of nomination, and shall require all candidates at such election to be nominated in manner hereinunder mentioned.

20. No person shall be a candidate for any Rating District or Ward at such election, or qualified to be elected a Councillor unless he shall have received a requisition signed by at least five enrolled voters whose names shall appear on the Voters' Roll as qualified in respect of such Rating District or Ward, and shall have transmitted such requisition, with his acceptance thereof, given under his own hand or that of his duly qualified agent, to the Minister not later than the hour of four o'clock p.m. on or before the day appointed for receiving nominations: Provided that if any such voter shall sign more requisitions than there are vacancies, the Town Clerk shall erase his name from all such requisitions as he shall have signed, which shall, for the purpose of nomination, be deemed never to have been signed by him. If the number of candidates who are nominated as aforesaid does not exceed the number of Councillors to be elected, such candidates shall be deemed and taken to be duly elected on the day of nomination. If, however, there shall be less than the required number of candidates nominated, then fresh nominations to fill the vacancies shall be called for in manner aforesaid.

21. In the event of the number of nominations exceeding the number of Councillors to be elected, the Minister shall, forthwith after the expiry of the nomination day, inform the returning officer under this Act appointed of the necessity of an election being held, and such returning officer shall forthwith cause a notice to be inserted in one or more newspapers published within the Municipality, stating the names of the candidates nominated, the day upon which a poll will be taken for the election of Councillors, not being less than six days or more than fourteen days from the date of such notice, nor less than twenty-one days from the date of the notice calling for nominations, the number of vacancies to be filled, and the places where the poll will be taken. And the poll shall take place accordingly, and shall commence at eight o'clock in the forenoon and close at eight o'clock in the evening.

22. For the purposes of such election the polling stations of the Districts or Wards shall be at the Town Hall therein or such other place or places therein as the Minister may determine. For such election the returning officer shall provide such compartments, desks, ballot boxes, ballot papers, stamping instruments, copies of register of voters and other things, appoint presiding officers and polling officers, and do such other acts and things, and make such arrangements to facilitate the taking of the poll as he may deem advisable for effectually conducting the election; and everything done by the returning officer shall be at the expense of the Council.

23. The presiding or polling officer and other officers of the polling stations shall keep order thereat, shall regulate the number of voters to be admitted at a time, and shall exclude all other persons except the returning officer, the clerks, the candidates, the agent of the candidate, and the constables on duty.

24. If after the poll has been appointed at such election any candidate nominated for election shall be desirous of retiring from the candidature, he may, not later than three days before the day of polling sign and deliver a notice of his retirement to the Civil Commissioner, who on receipt of such notice shall, if the number of candidates is by such retirement reduced to the number of persons to be elected at such election, declare the remaining candidates to be on that day duly elected, and if the said number is not so reduced, shall omit the name of the person so retiring from the list of candidates, and such person shall not be capable of being elected at such election.

25. Every candidate may, if he think fit, appoint by writing under his hand, a person to represent him at the polling station to see that the votes are fairly taken, and may also appoint in writing an agent to represent him at the counting of the votes by the returning officer.

26. No inquiry shall be made at any election as to the right of any person to vote, except that the polling officer may himself, or at the request of the agent of any candidate, put to any voter the following questions, or any of them, and no other :—

1st. Are you the person whose name appears as A.B. on the voters' roll of voters in this ward ?

2nd. Have you already voted at this election? Or (in the case of any person entitled to vote in a representative capacity under section forty-four of this Act)—Have you already voted at this election in this capacity ?

3rd. Have all sums due and payable by you or for which you are liable in respect of rates payable three months or more before this date been paid ?

And no person who shall refuse to answer any such question, or who shall not answer the first and third of such questions in the affirmative, and the second of such questions absolutely in the negative, shall be permitted to vote.

27. Any person who shall wilfully make a false answer to any of these questions shall be liable to a penalty not exceeding ten pounds, to be recovered in the court of the Resident Magistrate, or in default of payment to imprisonment for a term not exceeding three months.

28. All the acts enumerated as acts of bribery and corruption, personation, or undue influence in any Act for the time being in force regulating or in respect of elections of members of Parliament, shall, *mutatis mutandis*, be deemed to be acts of bribery, corruption, personation, or undue influence with reference to such first election. And every person committing any act forbidden or made punishable by any such Act relating to elections of members of Parliament, in reference to any elections under this Act, shall upon conviction incur and be liable to such penalty or punishment as is by such Act provided.

29. Every voter coming to record his vote shall vote without undue delay, and any voter who delays unduly in recording his vote may, unless he shall forthwith proceed to vote upon being thereunto required by the presiding officer, be removed from the polling station, upon the instruction of the presiding officer, and shall not be entitled to vote at the election.

30. The voting at such first election shall be by ballot, which shall be conducted in substance and as nearly as is material as follows :—

(*a*) The polling officer of that Ward or District shall ascertain that the name of the person coming to vote is a voter enrolled upon the Voters' Roll of the Ward or District, and having ascertained that such person is so enrolled and his number on such Roll, shall enter his number and the number of his votes upon the counterfoil in the voting ticket book, and shall then tear out the ticket corresponding to such counterfoil, and having stamped the same with a perforating stamp provided for that purpose, shall hand it to the voter. And every voting ticket shall be in the form set forth in the Schedule, with such printed instructions as the Minister may approve.

(*b*) When the voter has received such ticket, on which shall be printed in alphabetical order the names of all the duly nominated candidates at such election, he shall take the same to the compartment and desk provided for that purpose, and signify for whom he desires to vote by secretly placing a cross opposite the name of each candidate whom he wishes elected : Provided that the number of crosses shall not exceed the number of Councillors to be elected at such election. He shall then fold the ticket so that the perforated stamp may be visible, and having held up the ticket so that the polling officer can recognise the perforated mark, shall drop the ticket in the ballot box placed in front of the polling officer.

(*c*) Should the voter either sign his name on the ticket or make any mark or word by which his voting paper could become recognisable, then such voting ticket shall be considered blank and not taken into account.

31. If a voter inadvertently spoils a ballot paper he may return it to the presiding officer, who will, if satisfied of such inadvertence, give him another paper, and retain the spoilt paper, and the spoilt ballot paper shall be immediately cancelled and the fact of such cancellation shall be noted upon the counterfoil.

32. Any presiding officer, on the application of any voter who is incapacitated by blindness or other physical cause from voting in manner prescribed by this Act, shall before such agents of the candidates as may be present cause the vote or votes of such voter to be marked on a ballot paper or papers in manner directed by such voter, and the ballot paper or papers to be placed in the ballot box, and the name and number on

the Voters' Roll of every voter whose vote is marked in pursuance of the terms of this section, and the reason why it is so marked shall be entered on a list in this Act called the "list of votes marked by the presiding officer."

33. If a person representing himself to be a particular voter applies for a ballot paper after another person has voted as such elector, the applicant shall, upon duly answering the questions permitted by this Act to be asked of voters at the time of polling, be entitled to mark a ballot paper in the same manner as any other voter, but the ballot paper (hereinafter called a tendered ballot paper) shall not be put in the ballot box, but shall be given to the presiding or polling officer appointed for that purpose and endorsed by him with the name of the voter and his number in the Voters' Roll, and set aside in a separate packet, and shall not be counted by the returning officer. And the name of the voter and his number on the roll shall be entered in a list in this Act called the "tendered votes list."

34. Every polling officer as soon as practicable after the close of the poll, shall, before such agents of the candidates as shall be present, make up into separate packets sealed with his own seal and the seals of such agents of the candidates as desire to affix their seals,—

(1) Each ballot box entrusted to any polling officer under his direction unopened but with the key attached; and
(2) The unused and spoilt ballot papers together; and
(3) The tendered ballot papers; and
(4) The marked copies of the Voters' Roll and the counterfoils of the ballot papers; and
(5) The tendered votes list, and the list of votes marked by him as presiding officer, and a statement of the number of the voters whose votes are so marked by the presiding officer under the head "physical incapacity," and shall deliver such packets to the returning officer.

The packets shall be accompanied by a statement made by each presiding or polling officer showing the number of ballot papers entrusted to him and accounting for them under the heads of ballot papers in the ballot box, unused, spoilt, and tendered ballot papers.

35. Upon receipt of the aforesaid packets from such presiding or polling officer by the returning officer, the latter shall take charge of the same, and shall, in the presence of such agents, if any, of the candidates as may be in attendance, open the ballot boxes and ascertain the result of the poll by counting the votes given to each candidate, and shall forthwith declare the candidate or candidates who are elected under the provisions of this Act according to the vacancies to be filled up. In the event of the number of votes being found to be equal for any two or more candidates all of whom cannot be declared elected, the returning officer shall by lot immediately determine the election. The decision of the returning officer shall be final subject to reversal on petition to or action in the Supreme Court questioning the election or return in like manner, *mutatis mutandis*, in which elections or returns of members of Parliament made by law be brought in question.

36. The returning officer shall reject and not count any ballot papers, which,—

(*a*) Do not bear the official mark;
(*b*) Give votes to more candidates than the voter is entitled to vote for;
(*c*) Bear any writing or mark by which a voter can be identified otherwise than is in this Act prescribed;
(*d*) Are unmarked or void for uncertainty.

37. The returning officer shall endorse "rejected" on any ballot paper which he may reject as invalid, and shall add to the endorsement "rejection objected to" if an objection be in fact made by an agent to his decision.

38. The returning officer shall immediately after the declaration of the poll enclose in separate packets the counted and rejected ballot papers. He shall not open any sealed packet of tendered ballot papers or marked copy of the Voters' Roll and counterfoils, but shall proceed before such agents of the candidates as are present to reseal after examination each of the other sealed packets received by him from the presiding or polling officers. All the packets aforesaid, together with a certificate stating the names of the Councillors declared to be elected, shall be enclosed together in one sealed packet and delivered to the Minister, who shall safely keep such sealed packet for six months, after the expiration whereof the said packet and all papers contained therein may be destroyed in the presence of two Councillors, and a copy of the certificate stating the names of the Councillors declared to be elected, duly signed by the Returning Officer, shall be laid before the Council at the meeting immediately following such election of Councillors for the purpose of recording the Minutes of Proceedings and shall be recorded in such Minutes of Proceedings accordingly.

39. No such sealed packet as aforesaid shall be opened during the said period of six months unless by order and in presence of the Council or by order of the Resident

Magistrate, the Supreme Court or any judge thereof ; and if any person shall, contrary to the provisions hereof, wilfully break the seal or open any such packet he shall, upon conviction, be liable to a penalty not exceeding tweuty pounds, which may be recovered in the Court of the Resident Magistrate having jurisdiction.

40. The Minister shall have power from time to time to issue instructions and make regulations for the purpose of more effectually carrying out the provisions of this part of this Act, as to the proceedings for election by ballot, provided that such instructions and regulations are not inconsistent with its terms.

41. No election shall be declared invalid by reason of any mistake or non-compliance with the terms of this Act if it appears to the Court having cognisance of the question that the election was conducted in accordance with the principles laid down in this Act, and that such mistake or non-compliance did not affect the result of the election.

Voters.

42. Every person of full age not disqualified under the provisions of this Act, who on the fifteenth day of March in any year is the owner or occupier of any rateable immovable property of the value of or exceeding one huudred pounds, in auy ward or Rating District in the Municipality, and who shall have paid all sums, if any, then payable by such person, in respect of any rates made three months or more before such day, shall be entitled to be enrolled on the Voters' Roll of such ward or Rating District.

43. When more persons than one are either as partners or otherwise jointly liable to be rated in respect of any property, or are joint occupiers of any property upon the assessed value of which, being not less than one hundred pounds, rates are assessed, such persons shall be jointly and severally liable for all rates levied in respect of such property, and shall if not otherwise disqualified be entitled to be enrolled upon the Voters' Roll aforesaid ; provided that

(*a*) Unless the assessed value of the property when divided by the number of such persons is not less than one hundred pounds sterling only that one of such persons shall be entitled to vote in respect of such property who shall be named in writing by them all and enrolled in the Voters' Roll.

(*b*) No person shall be entitled to be enrolled under this section by virtue of being a member of or shareholder in any joint stock company, society, or association, owning or occupying any property.

44. Every Society, Association or Company owning or occupying property in any ward of the Municipality shall be entitled to be enrolled on the Voters' Roll of such ward with the same rights and subject to the same restrictions as are hereinbefore given to or imposed upon persons of full age, and shall be entitled to vote by a Director, Manager, Secretary or other official of the Society, Association or Company duly authorised to that end, whose name shall have been duly placed upon the Voters' Roll of the said ward as representative of the Society, Association or Company.

45. Every person entitled to be registered as a voter and who shall be the owner or occupier, joint owner or occupier of immovable property in more thau one of the wards in the Municipality, shall be entitled to select the ward iu which he will be registered as a voter, and should he decline or fail to make such selection, he shall be registered as a voter in such ward as the Council may thiuk proper.

46. The following persons shall not be qualified to vote at any elections held under the provisions of this Act :—

(1) Persons who have not paid all sums due from them in respect of any rates due and payable three months or more before the day of voting.

(2) Persons at any time convicted of treason, or murder, or until the lapse of five years from the date of release of auy person convicted of rape, theft, perjury, bribery, of receiving a bribe or of any other corrupt practice at any election, or any infamous crime, unless a free pardou shall have been granted.

(3) Persons whose names do not appear upon the Voters' Roll for the time being.

Making of Voters' Roll.

47. The first Council elected under this Act shall forthwith after its election, and each succeeding Council shall biennially iu the month of April, cause a list to be made of all persons in each Rating District qualified to be enrolled on the Voters' Roll of such Rating District, under the provisions of this Act ; and the aforesaid list shall be so compiled as to contain, in respect of each ward of each Rating District of the said Municipality, the name of every voter qualified and entitled to vote in each such ward. The names of all such voters of each ward shall be arranged in alphabetical order of names or streets as the Council shall deem fit, and shall be numbered consecutively ; and such Voters' Roll shall further shew the full name, residence, qualification and profession or occupation of each voter, and all such lists shall be and remain open to public inspection as is hereinafter provided.

48. The Mayor or Town Clerk, forthwith after the making of such list, shall cause such list to be affixed in some conspicuous position in some public place within the Rating District in which the ward is situate to which such list relates, and shall cause to be appended thereto and published in one or more newspapers, a notice of not less than fourteen days, that all objections and claims to be enrolled will be heard and determined at some time and place to be therein stated.

49. The Council or any Committee thereto authorized by the Council shall hear and determine all claims and objections and may enrol the names of any voters which have been omitted, and strike out the names of all persons not entitled to be enrolled; provided that no name of any person shall be struck out until such person shall have had two clear days' notice of the investigation of his qualification, and shall be heard in regard thereto should he so desire. The meetings of the Council or Committee for hearing and determining such claims and objections may be adjourned from time to time, and any decision may be brought on motion by petition under review of the Supreme Court if notice of review be given by any interested person within two clear days after the declaration of such decision.

50. The several lists of the Rating Districts when so settled and amended shall, subject to any addition which may from time to time be made in manner hereinafter provided, be the Voters' Roll for those Districts until the next Rolls shall in like manner be completed, and such Rolls, with such additions as may be made thereto in due form, shall be deemed and taken to be the conclusive and only proof of the right of every person enrolled therein to act as a voter in the District of which it is the Roll.

51. Any person who after any such Roll shall have been completed shall make application in writing to the Council or Committee to be enrolled as a voter, and shall prove his qualification and not be disqualified under this Act, shall be entitled to be enrolled as a voter and have his name added to the said Roll; provided that no enrolment in pursuance of the terms of this section shall be made upon application made after the publication of the notice referred to in section nineteen until after such election, and that the non-enrolment of any voter upon any such application shall not invalidate any election made after the date of such application, and that any voter whose name has been omitted merely by reason of the non-payment of rates in accordance with section forty-two may make application under this section upon proof that such rates have been paid.

Annual Election of Councillors.

52. An annual election of Councillors shall take place on the second Monday of September of each and every year for the purpose of electing Councillors to replace an equal number of retiring Councillors.

53. In regard to the first general election of Councillors held under this Act the following provisions shall have effect:—In each of the wards of the Rating District of Woodstock and in ward No. 1 of the Rating District of Wynberg the two Councillors for each ward who shall receive the highest number of votes shall hold office for three years, the Councillor for each ward who shall receive the next highest number of votes shall hold office for two years, and the Councillor for each ward who shall receive the lowest number of votes shall hold office for one year. In every other ward in the Municipality the Councillor who shall receive the highest number of votes shall hold office for three years, the Councillor who shall receive the next highest number of votes shall hold office for two years, and the Councillor who shall receive the lowest number of votes shall hold office for one year. And at every election thereafter the candidate or candidates as the case may be in each ward who shall receive the highest number of votes shall hold office for a period of three years.

54. When and as often as any casual vacancy for any ward shall occur, the Councillor or Councillors to be elected to fill such vacancy shall be elected in the manner provided for the election of candidates at the annual election; provided that for the purpose of filling up any casual vacancy within six months after the taking effect of this Act the provisions for election at large hereinbefore in sections seventeen to forty-one set forth shall apply; provided that in the event of there being one Councillor to be elected to fill a casual vacancy, he shall hold office for the remainder of the term for which the Councillor who has vacated office, and whom he shall succeed, would otherwise have remained in office; and in the event of there being two or more candidates selected to fill casual vacancies, he of them who stands highest at the election shall hold office for the remainder of the term of the vacating Councillor who had the longest period to serve before his term of three years expired, and the next highest candidate shall take the place of the Councillor with the next longest unexpired term of office, and so on.

55. The Mayor, or in case there is no Mayor, or he be absent or incapable of acting, then the Deputy Mayor, and if there is no Deputy Mayor, or he be absent or incapable of acting, then the Town Clerk, and failing the Town Clerk, then such Councillor as the Council may appoint, shall be the returning officer at all municipal elections, and all such elections shall be held before such returning officer; provided, further, that no returning officer shall be or become a candidate for office at such election.

56. The provisions contained in sections nineteen to forty-one inclusive of this Act shall, *mutatis mutandis*, apply to all elections of Councillors held more than six months after the taking effect of this Act; provided that for the purposes of the last-mentioned elections the word "Town Clerk" shall be substituted for the word "Minister" or the word "Civil Commissioner" wherever the same occurs in the said sections.

Mayor and Deputy Mayor.

57. At the first meeting of the Council held after every annual election of Councillors the Councillors present shall elect one Councillor to be Mayor, who shall be styled Mayor of the and who shall forthwith enter upon his office and continue therein until his successor be appointed after the next ensuing annual election of Councillors, unless his office be sooner vacated, and in case of such vacancy then a successor shall at the meeting next but one of the Council after such vacancy be chosen by the Councillors from amongst themselves, who shall forthwith enter upon his office, and serve as Mayor for the remainder of the period for which the vacating Mayor was elected: Provided, always, that should a Mayor for any reason not be elected at a meeting as herein prescribed, he may be elected at the first ordinary meeting of the Council held thereafter or at a special meeting called for the purpose.

58. That Councillor in office at the time of the election of the Mayor after the annual election as aforesaid, who shall last have held the office of Mayor in the Council at any time prior to the then elected Mayor, and failing any such Councillor still in office and willing to serve in such capacity, such other Councillor as the Council shall elect, shall be Deputy Mayor, and shall during the absence or illness of the Mayor do all acts which the Mayor as such might do. The fact of the absence or illness of the Mayor shall be notified by the Town Clerk or his deputy to the first meeting of the Council after the illness or absence of the Mayor has happened, and be recorded in the Council's minutes. Such record shall be a sufficient authority for all acts done within the scope of this Act by the Deputy Mayor in lieu of the Mayor. In the event of the office of Deputy Mayor becoming vacant by reason of death or resignation, or by his ceasing to be a member of Council, the Council shall at the next ordinary meeting following the meeting at which such vacancy is reported fill the vacancy. In the event of the temporary absence, illness or incapacity to act of the Deputy Mayor, the Council may from time to time, at any ordinary or special meeting, appoint a Councillor to act as Deputy Mayor during such period as the Council may think necessary.

59. Where by any public or private Act of Parliament the Mayor is, *ex officio*, a member of any Board, Council or other body, or otherwise represents the Council in his capacity of Mayor, the Deputy Mayor or the person acting as such, in the event of the illness, absence or incapacity of the Mayor to act, shall occupy the place of the Mayor at or on such Board, Council or other body, and shall otherwise represent the Council and the Citizens with all the rights, powers and privileges of the Mayor, and a certificate, signed by two members of the Council, and by the Town Clerk, certifying to the illness, absence or incapacity to act of the Mayor, and to the appointment of the Deputy Mayor or to the authority of any member of the Council to act as Deputy Mayor, shall be sufficient proof of the facts therein set forth.

Proceedings of Council.

60. The Council shall hold ordinary meetings not less than once in each month for the transaction of business, on such day and at such hours as the Council shall from time to time appoint, and, when such appointment is made, the Town Clerk or his deputy shall give notice thereof to each of the Councillors, and they shall afterwards, until the time of each ordinary meeting is changed and notice of the change given to the Councillors, be required to attend such ordinary meetings without notice.

61. The Mayor may, and on a written requisition of twelve Councillors, shall at any time convene a special meeting of the Council, and if convened for the day upon which an Ordinary Meeting of the Council is held such special meeting may be held either before or after the hour at which the ordinary meeting is held.

62. All notices of any special meeting or adjourned meeting of the Council shall be in writing or print or partly in writing and partly in print and shall be delivered, or sent by post or otherwise, to the usual place of business within the Municipality, or to the residence of each of the Councillors, twenty-four hours at least previous to such

meeting, and in case of a special meeting shall specify the object thereof, and no business shall be transacted at any special meeting except such as is stated in the notice thereof. But want of service of such notice on any member of the Council shall not affect the validity of a meeting.

63. The Councillors present at any meeting may from time to time adjourn such meeting; and if at any meeting of the Council a quorum of twenty-one Councillors be not present, the Councillors present or the major part of them voting, or any one Councillor, if only one be present, may adjourn such meeting.

64. All meetings of the Council shall be held within the Rating District of Cape Town and in such building as may be agreed upon by the Council; and all meetings of the Council shall be open to the public: provided that this section shall not apply to any Committee meeting either of the Council or of any Committee thereof if a resolution to exclude the public be carried: provided that not less than six Councillors shall vote for such resolution.

65. At every meeting of the Council the Mayor, if present, shall be Chairman. If the Mayor be absent, then the Deputy Mayor shall be Chairman. If neither the Mayor nor Deputy Mayor be present, such Councillor as the Councillors present choose shall be Chairman.

66. All acts of the Council and all questions coming or arising before the Council may be done and decided by the majority of such Councillors as are present and vote at a meeting held in pursuance of this Act; provided the whole number present at the meeting whether voting or not be not less than twenty-one.

67. In case of an equality of votes the Chairman at any meeting of the Council or of a Committee shall have a second or casting vote.

68. Minutes of the proceedings of every meeting of the Council, and of every meeting of any Committee, shall be drawn up and entered in books kept for that purpose, which shall be signed at the same or the next ensuing meeting by the Mayor, or by a member of the Council or of the Committee, describing himself as, or appearing to be, Chairman of the meeting at which the minutes were signed; and such minutes so signed, or a copy or an extract therefrom, attested by the Mayor and Town Clerk, shall be received in evidence in proceedings criminal or civil without further proof.

69. All minutes of the proceedings of the Council, and all books, writings, accounts, and records thereof, shall be made and kept in the English language, it being left to the option of the members of the Council to address the Council either in English or Dutch.

70. No act or proceeding of the Council shall be questioned on account of any vacancy in their body or of any lack of qualification or of any disqualification in regard to any Councillor taking part in such act or proceedings.

Committees—District Executive and General.

71. The Councillors elected for any Rating District, or any number of them appointed by the Council shall, during their term of office as Councillors, form a District Committee for their Rating District. The District Committee of each Rating District shall annually, within one week after the annual election of Councillors, elect its own Chairman. Each District Committee shall have such power to administer such local matters within the Rating District as shall be delegated to such District Committee by the Council.

72. The Council may from time to time appoint out of their own body an Executive Committee and such and so many Committees, either of a general or special nature, and consisting of such number of persons as they think fit, for any purposes which in the opinion of the Council would be better regulated and managed by means of such Committees, and may also delegate to any Committee such powers as they may think fit, and fix the quorum of every such Committee; and every such Committee may from time to time appoint one of the members to be Chairman thereof.

73. The acts of a Committee shall not be binding upon the Council until submitted to and approved by the Council, excepting in those cases in which the Council shall by resolution have authorised a Committee to manage, regulate, or conclude any matter or matters without further reference to the Council.

74. All questions brought before any Committee shall, provided a quorum be present, be decided by a majority of the votes of the members present and voting.

75. Until the contrary be proved, every meeting of the Council, or of a Committee, in respect of the proceedings whereof minutes have been made, shall be deemed to have been duly convened and held, and all the members present at the meeting shall be deemed to have been duly qualified; and where the proceedings are the proceedings of a Committee, the Committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.

76. The Council may from time to time make rules of order, not inconsistent with the terms of this Act, for the regulation of their proceedings and business, and may vary or revoke the same; and, until they do so, the existing rules of order of the Town

Council of Cape Town shall be and remain in full force excepting in so far as they may be opposed to the provisions of this Act, and in the said Rules of Order, the Mayor, Deputy Mayor or Chairman (as the case may be) shall have power to name a Councillor: and upon motion made and adopted by not less than two-thirds of the Councillors present and voting on the question, to suspend a Councillor for a period not exceeding the conclusion of the next succeeding ordinary meeting of the Council. The Rules of Order adopted by the Committee shall be Rules of Order in Committees.

Accounts and Audit.

77. The Council shall annually, as soon as conveniently may be after the annual election of Councillors, elect two auditors, who shall be deemed to be officers of the Council and amenable to regulations under the Audit Act of 1875, and there shall be paid to them out of municipal funds such remuneration as the Council may deem fitting. The election of such auditors shall be conducted in manner similar to that employed in the election of officers of the Council.

78. It shall not be competent to elect as an auditor any Councillor or officer of the Council or any person related to any Councillor, or to any officer of the Council who deals with cash or accounts, in or within the third degree of consanguinity or affinity:— Provided:

(*a*) That no auditor who was at the time of his election duly qualified to be elected shall cease to hold such office by reason that any person related to him in or within such third degree shall, after the election of such auditor, become a Councillor of the Council to supply any casual vacancy, or by reason that such auditor and some member or officer of the Council shall after election become related to each other in and within the third degree of affinity;

(*b*) That if any auditor shall after his appointment as such be elected a Councillor or other officer of the Council, his office of auditor shall, *ipso facto*, become vacant.

79. Should an auditor die or resign, or refuse to act, or become incapable of acting from mental or bodily disease, or cease to reside within the Cape Division, or become insolvent, or assign his estate for the benefit of his creditors, or become a contractor, or be directly or indirectly interested in any contract, or be or become a surety for any contractor with the Council, his office shall become vacant, and the remaining auditor shall act alone until another auditor is appointed. Such vacancy shall, however, be filled as soon as may be by the election of an auditor for the remainder of the year, in a similar manner to that provided in Section seventy-seven.

80. The Council shall cause books to be provided, and true and regular accounts to be kept therein of all sums of money received and paid on account of and for the Council, and of the several purposes for which such sums of money have been received and paid, and of all revenue which may have accrued, and of such liabilities as may have been incurred but not discharged at the end of each calendar year, and of such authorised writing-off of irrecoverable revenue, or for depreciation, as are hereinafter described; and shall cause all such entries to be made in such a manner as to readily and clearly produce the accounts hereinafter prescribed as required of the said Council; and such books shall be kept in the Town Hall in Cape Town, and shall not be taken thence except by leave of the Council or by process of some competent court; and such books shall at all reasonable times be open to the inspection of any Councillor, Ratepayer or Creditor of the Council, as well as by the auditors under this Act, and the Councillors and other persons aforesaid or any of them, may take copies or extracts from the said books without paying for the same.

81. The Council shall cause to be kept in such books accounts, separate in respect of each Rating District, of the cost of the several Water Supply Systems and of such properties as may have been purchased for water supply purposes, showing *per contra* the amount of the debt outstanding in connection with each at the time of the taking effect of this Act, and such assets and liabilities shall be treated by the Council as assets and liabilities of the Rating Districts concerned until an additional supply of water has been made available which shall, in the opinion of the majority of the whole Council, be ample for the then needs of the whole Municipality; and the Council shall cause accounts to be kept showing the revenue derived from such water supplies or properties purchased for water supply purposes and of the expenditure in connection with the maintenance of such water supply or property in each Rating District; and any surplus of such receipts over expenditure, including interest on the debt and any contribution

to the Sinking Funds for the extinction of such debt, shall be available only for purposes of the Rating District concerned, and any deficit shall be made good at the expense of the Rating District concerned. Provided :—

(*a*) That whensoever such ample supply of water, as above described, shall be made available the Council shall open a capital account for the whole water supply of the Municipality to which account shall be carried.

1. The cost of the new supply ;
2. The cost of each and all of the present supplies ;
3. The cost of all properties purchased in connection with proposed water supplies, and
4. *Per contra* the debt outstanding at that date.

(*b*) That the Rating Districts concerned shall thereupon be given credit for any excess of the cost in each case, with any Sinking Fund in existence, and any balance unexpended of loans raised, over the then outstanding debt, the sums so credited being treated as Betterment Funds available for permanent improvements in each such Rating District.

(*c*) That contributions to a Sinking Fund for the redemption of the whole Water Debt shall thereupon be annually made, which shall be at least equal to the estimated average depreciation in the value of the capital expenditure after allowing for moneys to be spent out of water revenue on renewals.

(*d*) That thereupon an account shall be kept of all receipts in connection with water supplied and of all expenditure on the maintenance of such supply and of all contributions to the Sinking Fund in connection with the Water Supply Debt, and of all moneys spent out of ordinary water revenue on renewals ; and that any surplus of receipts in such account may be carried forward, or by a vote of the majority of the whole Council be wholly or in part transferred to ordinary revenue ; and that any deficit of receipts in such account may similarly be carried forward, or, by vote of the majority of the whole Council, may be wholly or in part charged against ordinary revenue.

82. The Council shall also cause to be opened and kept in such books an account for capital expenditure on Electric Lighting Works machinery and plant, to which account shall be carried the cost of such works, machinery and plant at the date of the taking effect of this Act, and, *per contra*, the outstanding debt at that date ; and the Rating District or Districts concerned in such expenditure shall be given credit for any excess of the cost of such works, machinery or plant in each case, with any Sinking Fund in existence in connection therewith, any balance unexpended of any loan or loans raised in connection therewith over the then outstanding debt, the sums so credited being carried to Betterment Funds, available only for permanent improvements in each such Rating District ; provided that sub-sections (c) and (d) of the preceding section shall then apply, *mutatis mutandis*, in regard to Electric Light transactions.

83. The Council shall also cause to be opened and kept in such books accounts, separate in regard to each Rating District, for such Drainage and Sewerage works as have been undertaken by means of borrowed moneys in each such District ; and to such accounts shall be carried the amounts spent out of such loans up to the date of the taking effect of this Act, and *per contra* the outstanding debt at that date ; and the interest on such debt and any contributions to a Sinking Fund for the extinction of such debt and the cost of maintenance and repair of such works shall be a charge against the Rating District concerned, and any unspent balance of loans raised for such purposes or any unexercised borrowing powers shall similarly be regarded as available only for Drainage or Sewerage works, as the case may be, in such particular District ; and any moneys subsequently borrowed and spent for Drainage or Sewerage shall be similarly treated as chargeable to the particular Rating District or Districts concerned, as well as the interest on such loans, the contribution to any Sinking Fund for the extinction of such loans, and expenditure for the maintenance and repair of such works ; and expenditure on sanitary services rendered necessary by the absence of any or adequate Drainage or Sewerage works shall be charged against the Rating District in and on behalf of which such expenditure is incurred and not against the rate of the Municipality for general purposes.

84. The Council shall also cause to be opened and kept in such books a Capital account in connection with all other expenditure out of borrowed moneys on Works, Buildings, Land, Plant or for any purposes other than Water Supply, Electric Light, Drainage and Sewerage ; and to this account shall be carried the debts outstanding at the date of taking effect of this Act in connection with such purposes of all the Municipalities which are by this Act consolidated in one Municipality and *per contra* the cost of such Works, Buildings, Land, *et cetera*, so far as such cost has been

paid out of such borrowed moneys; but so soon as the Board of Valuers appointed under Section 93 of this Act shall have assessed, as therein prescribed, the value of the available assets of the Municipality as at the date of the taking effect of this Act, such values shall be substituted, in each case, for the cost price previously entered; and the excess thereafter existing of the amounts entered as cost of works which cannot be so valued with the value of such assessed assets as above described over the outstanding debt shall be deemed a credit of the particular Rating Districts concerned and shall be carried to the "Betterment" Funds of each such District for use only in such District on improvements of a permanent nature; the value of such other assets as may not have been paid for out of borrowed moneys but out of the ordinary revenue and expenditure accounts of the Metropolitan Municipalities shall then be carried to the same account and shall be credited to the particular Rating Districts concerned, to be used in the reduction of the differential rates of such Districts: Provided that the interest on the debt outstanding at the date of the taking effect of this Act, and any contributions to the Sinking Fund for the extinction of such debt shall be charged against the Rating District in each case concerned until such debt is completely redeemed.

85. The Council shall also cause to be opened and kept in such books accounts separate in regard to each Rating District to each of which shall be carried receipts and expenditure for purposes which are not universal throughout the Municipality and not covered by loans, including such as are indicated in Sections 82, 83 and 84 of this Act; and to these accounts shall also be carried any cash or bank balances taken over by the Municipality on the date of the taking effect of this Act, any rates or other receipts outstanding at the said date which may be subsequently received and any amounts due by the Municipalities at that date and chargeable against ordinary revenue which may be subsequently paid; and such portion of the rate assessed from time to time as represents the particular differential rating of each such District shall be credited to the account of such District as before prescribed.

86. The auditors shall, before the close of each month, examine accounts, prepared by the Treasurer in such form as shall be prescribed in regulations under the Audit Act, 1875, of the receipts and payments of the Municipality during the previous month, with the Balance Sheet of the Municipality at the end of each month, to ascertain that such statements are in accordance with the books of the Council, are supported by proper vouchers, that the expenditure is in accordance with votes or resolutions or contracts of the Council, and that such votes, resolutions and contracts are authorized by law; also to ascertain the cash balance held by the Treasurer and where such balance is deposited. And the Council shall, by the Treasurer, produce and lay before the auditors all books, papers and writings in their custody or power relating to or having a bearing upon the transactions recorded in such accounts; and if the auditors, after due inquiry, shall be satisfied that all moneys received have been duly and properly accounted for, and that all payments charged have been duly authorised and made and correctly charged, and any transfers from one account to another have been authorised by the Council and are such as may be legally made, they shall certify to the correctness of such accounts in the form prescribed by regulations under the Audit Act, 1875; but if they think there is just cause to disapprove of any item in the said accounts they may disallow the same, stating in a report to the Council their reasons for such disapproval; and if any such auditor shall wilfully certify any such account knowing the certificate on the account verified by it to be untrue in any material particular, he shall be deemed to be guilty of contravening this Section of this Act, and shall upon conviction be liable to punishment by fine not exceeding twenty pounds, or, in default of payment of the fine, by imprisonment with or without hard labour for any period not exceeding one month.

87. Any person interested in the said accounts, either as a creditor of the Council or as a ratepayer may, either by himself or his agent, be present at the audit of the said accounts and may make any objection in writing, signed by himself or such agent, to any part of such accounts.

88. The Town Clerk shall at the next meeting of the Council after the completion of such audit, lay such accounts and statements so audited and certified before the Council with such objections as may have been made under the preceding section; and the accounts and statements shall then be finally examined and settled by the Council, and if the same be found just and true they shall be allowed by the Council and certified accordingly under the hand of the Chairman of that meeting, and copies of such accounts and statements shall be kept by the Town Clerk at the Office of the Council, but the original accounts and statements so certified shall forthwith be forwarded to the Controller and Auditor-General of the Colony, with all such vouchers as he may require, by whom they shall be finally audited; and in conducting the examination of the vouchers relating to such accounts the Controller

and Auditor-General, after satisfying himself that the accounts bear evidence that the vouchers have been completely checked, examined and certified as correct in every respect, and that they have been allowed and paid by the Council, may audit the same as satisfactory evidence of receipt of revenue or payment of the charges to which they relate: Provided always that if the Government shall desire any such vouchers to be examined by the Controller and Auditor-General in greater detail the Controller and Auditor-General shall cause such vouchers to be subjected to such detailed examination as the Government may think fit to describe.

89. If any person who may be surcharged by the Controller and Auditor-General as having made, or authorised, or as being otherwise responsible for, any illegal payment appearing in the accounts of the Municipality or for any short collection of revenue due to the Municipality, shall fail to adjust or recover such surcharge within such time as may be allowed for its recovery in regulations framed under the provisions of the sixth section of the Audit Act of 1875, the Controller and Auditor-General shall report such surcharge and all necessary particulars to the Attorney-General, who shall sue the person or persons in default, in any Court of competent jurisdiction, for the recovery of any amount which, in the opinion of such Attorney-General, has been properly surcharged, and the costs adjudged to be payable by the defendant in any such suit shall be payable by such defendant personally or out of the funds of the Council, as such Court may direct.

90. On completion of the examination and audit of the accounts and statements in connection with each month's transactions, the Controller and Auditor-General shall grant a certificate in which the total amount of the sums forming respectively the charge and discharge of such account and the balance, if any, remaining due shall be set forth; and every such certificate shall be signed by him and shall be valid and effectual to discharge the Council, as the case may be, either wholly or from so much of the amount with which the Council may have been chargeable as the Council may appear by such certificate to be discharged from; and upon receipt of such discharge for the month of December in each year the Treasurer shall frame an abstract or abstracts showing the transactions of the calendar year in question as audited and passed by the Controller and Auditor-General which shall be verified by his signature to such certificate as may be prescribed in regulations under the Audit Act, 1875, and such abstract or abstracts shall be forwarded to the Controller and Auditor-General for rectification and final audit, and shall thereafter be advertised by the Council in one or more papers published in the Municipality, and shall be laid before both Houses of Parliament with such report thereon as the Controller and Auditor-General may see fit to make.

91. The auditors or the Controller and Auditor-General shall be entitled at any time to make examination without previous notice to anyone of the books and cash in hands of the Treasurer, and to compare the cash with the books and check the various balances, the cash in hand and the bank account; provided that in each case a report of the result of such examination shall be made to the Council.

92. The Council shall in the month of December in every year draw out an estimate of the probable revenue and expenditure for the year next ensuing, showing the several taxes or rates to be levied or assessed during the same, and the said estimate shall be signed by the Treasurer, Mayor and Town Clerk, and shall be open to the inspection of any enrolled voter, and an abstract thereof shall be advertised in one or more papers published in the said municipality before the 31st day of the month of January in the year next ensuing. And after such publication of the said annual estimate a special meeting of the Council shall be held upon fourteen days' notice, for the purpose of finally considering and confirming the said estimate, and at such meeting it shall not be competent or lawful to place any new item on said estimates or to increase any item.

93. As soon as may be after the taking effect of this Act, the Council shall appoint a Board of Valuers to value the available and realisable assets transferred from the Metropolitan Municipalities to the Council by this Act exclusive of cash balances and debts due to such Metropolitan Municipalities but unpaid and outstanding on that date and exclusive of assets in connection with Water Supply undertakings described in Section 81 of this Act; and the said Board shall consist of three persons of whom one only shall be a Councillor and one shall be a sworn appraiser; and the said Board shall be supplied by the Town Clerk with a list of all the said assets whether Land, Buildings, Live Stock, Plant, or otherwise; and the said Board shall enter against each item in such list the sum which in their opinion after full and careful investigation and consideration was its fair value on the date of the taking effect of this Act: Provided that in regard to land granted by the Government for Municipal purposes the value only of the improvements made by the Council of each Metropolitan Municipality shall be entered and not the value of such land.

OFFICERS.

94. The Council shall from time to time appoint a fit person not a Councillor to be Town Clerk of the Municipality, who shall hold office during the pleasure of the Council, shall perform such duties as the Council may determine, and shall have the charge and custody of and be responsible for the deeds, records and documents of the Council which shall be kept as the Council shall direct.

95. In case of the illness or absence of the Town Clerk, or in case the office of Town Clerk be vacant, the Council may appoint a Deputy or Acting Town Clerk from among the Council's officers to hold office during their pleasure, and all things required or authorised by law to be done by or to the Town Clerk may be done by or to the Deputy or Acting Town Clerk.

96. The Council shall from time to time appoint a fit person, not being a Councillor, to be Treasurer of the Municipality, who shall hold office during their pleasure. The Offices of Town Clerk and Treasurer shall not be held by the same person.

97. The Council shall from time to time appoint such other officers as they may deem necessary and, unless it shall be otherwise stipulated in the contract with or appointment of any such officer, may at any time remove any such officer upon a notice of not less than one month, or in case of misconduct without notice.

98. The Council shall require the Town Clerk, the Deputy or Acting Town Clerk, the Treasurer and all officers charged with the collection or the administration of moneys or the custody of documents or property of the Council to give such security as they think proper for the due execution of their offices, and may assign to every officer such duties and responsibilities as they may see fit, and shall allow him such remuneration as they think reasonable.

99. No officer appointed by the Council shall be engaged directly or indirectly in any other business, trade or profession, than the business of the Council, save with the express sanction of the Council.

100. Every Treasurer and other officer appointed by the Council, shall at such times and in such manner as the Council shall direct, deliver to the Mayor, or such person as they shall appoint, true and perfect accounts, in writing, of all matters and things committed to his charge, and also of all moneys which shall have been by such officer received by virtue or for the purposes of this Act, and of how much thereof shall have been expended or disbursed, and for what purposes, together with proper vouchers for such payments; and every such other officer shall pay all money due from him to the Treasurer or as the Council shall direct, and if any such Treasurer or officer refuses or neglects to make or render such account, or to deliver up the vouchers relating to the same, or to make payment as aforesaid, or refuses or wilfully neglects to deliver to the Mayor, or to such person appointed to receive the same forthwith, after being thereunto required by the Mayor by notice, in writing, under his hand, given to or left at his last or usual place of abode, all books, papers, and writings in his custody or power belonging to the Council, or relating to the execution of his duties, or to give satisfaction to the Mayor or such other person as aforesaid respecting the same, then and in every such case, upon complaint made by the Mayor or by such person as aforesaid to the Supreme Court or any Judge thereof, the said court or judge may, if they or he shall see fit, order the officer, so refusing or neglecting, to appear at an appointed time and place, and if it shall appear to the said court or judge upon the hearing of the case, that any moneys remain due from such officer, such court or judge may, by decree of the said court, or warrant under the hand of the said judge, cause such money to be levied by distress and sale of the goods and chattels of such officer, and if no goods and chattels of such officer shall be found sufficient to answer and satisfy the said money and the charges of distraining and selling the said goods and chattels, or if it shall appear to such court or judge that such officer had refused, or wilfully neglected, to render and give such account or to produce the vouchers relating thereto, or that any books, papers or writings belonging to the Council or relating to the execution of his duties remained in the hands or in the custody or power of such officer, and he refused or wilfully neglected to deliver or give satisfaction respecting the same as aforesaid, then and in every such case it shall be lawful for such court or judge to make such order as to justice shall appertain and, if such court or judge think fit, to commit such offender to the common gaol within the Municipality, there to remain without bail until he shall have given a true and perfect account as aforesaid, or until he shall have paid such moneys as aforesaid and until he shall have delivered up such books, papers and writings, or given satisfaction in respect thereof, to the Council, or to such other person as aforesaid, or until such other or future time as the said court or judge shall direct: Provided that nothing herein contained shall prevent such Treasurer, officer, or other person being tried, and, if found guilty, convicted and sentenced according to law for any

crime or offence which he may have committed relative to any matter or thing entrusted to him under the provisions of this Act: and provided, further, that nothing herein contained shall prevent the Council from bringing an action for the recovery of any sum or sums due by the Treasurer, officer or other person to the Council.

101. No prosecution or commitment of any treasurer or other officer or person shall acquit and discharge any surety or security that shall or may have been taken by or given to the Council, for the due and faithful execution of his or their office, or the payment of the moneys received or to be received by him or them respectively.

Valuation of Property.

102. The Council shall from time to time appoint to be Valuator of the Municipality a fit person, not a Councillor, who shall be a sworn Appraiser of the Supreme Court and be approved by the Minister, be paid by salary by the Council, hold or exercise no other office, trade, employment or profession, and not be removable from office except with the consent of the Minister.

103. The said Valuator shall before entering upon his office make before some Justice of the Peace a solemn declaration in the terms following :—

"I,————, do solemnly and sincerely declare that I will, to the best of my skill and knowledge, and without fear, favour, or prejudice, truly and impartially appraise and value all such property as I shall be required to value in the Municipality of ..... for the purpose of assessment, and that I shall conscientiously value the same at and for the full and fair price or sum which such property would, in my judgment, be likely to realise if brought at the time of valuation to voluntary sale and sold upon the usual terms and conditions. And I make this solemn declaration, conscientiously intending to fulfil the same.

"Declared at ————, this —— day of ————

"Before me ————."

And every such declaration shall be lodged with and preserved by the Council.

104. Every owner of immovable property situated within the Municipality and liable to be rated shall furnish to the said Valuator annually at such time as may be determined by the Council, a statement signed by himself or by his agent setting forth the actual cost to him of such immovable property, including the cost of all buildings, additions and alterations thereon or thereto, also setting forth what in his opinion is its fair market value, the use to which it is put, and the rent or other revenue derived from it.

105. The said Valuator shall base his valuation of all immovable property on the statement referred to in the last preceding section, provided that he shall also have due regard to the price which such property would, in his judgment, be likely to realize if brought at the time of valuation to voluntary sale and sold upon the usual terms and conditions; provided further that if such estimated price be less than a sum computed by multiplying by ten the rent or other revenue derived from such property, such greater sum shall be taken by him to be the value of such property ; and provided further that if such statement be not furnished the Valuator shall proceed to value without such statement and there shall be no appeal against such valuation.

106. The said Valuator shall frame a Valuation Roll in respect of each Rating District separately in such a manner as to shew :—

(*a*) The name and the address of the owner.
(*b*) The name of the occupier (or if unoccupied to be stated).
(*c*) Description of the property valued.
(*d*) Name and situation of property.
(*e*) Rateable value.

107. When such valuation rolls have been completed they shall be laid before the Council and copies thereof shall lie at the office of the Council and at such place within each Rating District as the Council may determine for the inspection of every owner or occupier of any property included therein who may at all reasonable times inspect the same, and the Council shall by notice published in one or more newspapers published in the Municipality, and by circular notify owners and occupiers of the valuations of their properties and call upon them to lodge in writing with the Town Clerk any objections they may have against the valuation of any property whether owned or occupied by them or not, within a specified time not being less than fourteen days from the first publication of such notice.

108. After the expiration of the time specified in such notice a Valuation Court shall be constituted consisting of five persons, of whom two shall be Councillors of the Municipality appointed by the Council, and the remaining three, one of whom shall be a Barrister or a Resident Magatrate, shall be appointed by the Governor, and such Barrister or Resident Magistrate shall be Chairman of such Court.

109. Such Court when so constituted shall at meetings duly called by the Town Clerk upon the instruction of the Mayor proceed to consider the Valuation Roll, and the objections made as aforesaid, and shall be entitled to make such alterations and amendments therein as to them may seem expedient, and to increase or decrease any valuation whether it be objected to or not, and shall further be entitled to take on oath the evidence of the Valuator of the Municipality and of objectors appearing before the Court, and the decision of such Court shall be binding and conclusive.

110. When such Court has completed its examination of the valuation roll and has made such alterations and amendments therein as to it may seem necessary, the Town Clerk shall cause copy of such roll as settled to be made for the inspection of persons interested.

111. Notwithstanding anything to the contrary in this Act stated, the Council may at any time direct that a valuation be made of any property discovered to have been omitted from the valuation roll, or of any buildings erected or improved, or of any property sub-divided, or of portions of any property which are occupied by different persons after any general valuation of property made as aforesaid, or may within three months after any general valuation of property, direct a valuation of any property which in the opinion of the Council is undervalued, and upon the making of any interim valuation, the same forms shall be observed as are in the last preceding section set forth with regard to general valuations, excepting that in the option of the Council the prescribed notice may be served, in writing, either upon the owners or occupiers of the property or properties affected instead of being published as aforesaid.

112. The Valuator of the Municipality shall, for the purpose of making any valuation as aforesaid, have power to enter at all reasonable hours in the daytime into and upon any immovable property within the Municipality without being liable to any action on account thereof.

113. All rates made or levied by the Council under the provisions of this Act shall be made or levied upon the valuation of immovable property framed in terms of this Act ; and until such a valuation be made such rates shall be levied according to the existing valuations in the several Metropolitan Municipalities by this Act incorporated in the Municipality.

Rates.

114. It shall be lawful for the Council to impose and levy throughout the Municipality such a general rate as it may deem necessary and expedient on the value of all rateable immovable property in the Municipality.

115. It shall be lawful for the Council to impose and levy within any Rating District a special rate on the value of the rateable immovable property within such Rating District.

116. The General Rate shall be voted and levied in such manner as the Council shall deem advisable and expedient, for all objects, purposes and services necessary, with the exception of the purposes and services in the next succeeding section mentioned, and the said General Rate shall be of uniform amount throughout the Municipality.

117. The Special Rate for any Rating District shall be voted and levied

(*a*) For the payment of interest and sinking fund on loans charged or to be charged to such Rating District under the provisions of this Act, whether as determined at the time of the taking effect of this Act, or as thereafter determined by the Council,

(*b*) for all purposes, objects and services lawfully petitioned for by the ratepayers of any Rating District and delegated by the Council to the District Committee of such Rating District under the provisions of this Act, and

(*c*) for all other purrposes, objects and services for which it is by this Act directed to be levied.

118. The person or persons in whom shall be vested on the 15th day of March in each year the legal title to any immovable property shall be the person or persons primarily liable for the rates imposed during that year in respect of such property ; provided that any person entitled to the usufruct or any other limited interest for life in respect of any such property shall be deemed to be invested with the legal title for the purposes of this section ; and provided, always, that nothing in this Act contained shall in any way affect the provisions of the "Crown Property Rating Act,

1891," and the "Public Libraries and Museums Relief Act, 1892," or render liable to be rated any places used exclusively for public worship, public colleges or schools, or institutions supported by public charity.

119. As soon as possible after the passing of a resolution to levy a rate on immovable property, in addition to every other notification required by law, a notice shall be posted to the address of each person by whom any money is payable because of such resolution, which notice shall set forth the rate levied, the property assessed, the amount payable, the latest date when, and the place at which payment must be made; provided, however, the non-receipt of such notice shall not be any defence in any proceeding instituted for the recovery of any such rate.

120. All rates levied under this Act shall be due and payable at the office of the Treasurer of the Council on the 15th day of March of each year, and every person who shall be in default in payment of any such rates after the 30th day of June in each year, shall become liable to pay, and shall pay in addition to the rate in regard to which he shall have made such default, an additional sum equal to one-twentieth of the rate, and such additional sum together with the original rate shall be deemed to be the rate payable under this Act, and shall be recoverable as such by any of the means provided by this Act.

Recovery of Rates.

121. After any rate levied by virtue of this Act shall have been assessed, notice thereof shall be advertised in one or more newspapers published in the Municipality, and the Council may appoint one or more collectors for the purpose of collecting the amounts due and payable, and the said collectors are hereby authorised to demand and receive the amounts so to be collected, which shall, on non-payment thereof, be recoverable at the suit of any such collector, upon production of any such newspaper, by action in the court of the Resident Magistrate having jurisdiction, or in case any person liable for any rate shall not reside within the Municipality, then either in the court of the Resident Magistrate of Cape Town, or in the court of the Resident Magistrate of the district in which such ratepayer shall reside: Provided that as often as any ratepayer not resident in the Cape Division shall be proceeded against in the court of the Resident Magistrate of Cape Town, the summons directed to such ratepayer shall be served upon the person, if any, in occupation of the premises in regard to which the rate alleged to be due is claimed. And each collector shall give security to the Council for the due execution of his office to such amount as the Council shall deem sufficient.

122. If the amount of any rate which under the provisions of this Act shall have been assessed on any immovable property liable to be rated or portion thereof shall not be paid by the owner thereof, it shall be lawful for the Council to sue either the occupier thereof at the time such rate was due and payable or the owner separately or both of them in one and the same action, each for the whole, before any competent court, and to obtain the judgment and process of such court for the recovery of the same, reserving to such occupier such relief against the owner as he may be lawfully entitled to: Provided that every person who, as occupier of any such property or portion thereof, shall at any time have become liable to pay any rate which may have been assessed thereon, shall continue to be liable, and may be sued in manner aforesaid for the same, notwithstanding that he shall have ceased to occupy such property or portion thereof: Provided, also, that any and every rate assessed under the provisions of this Act shall in so far as the owner of any property is concerned, be and be deemed to be a charge upon the property rated and recoverable against the owner at the time such rate was levied or any future owner; provided, always, that no future owner of property shall be liable for any rates which became due and payable at any period more than one year prior to the date upon which he became owner of the said property.

123. In any proceeding to levy or recover rates, or consequent on the levying or recovering of any rate, as well as in all other legal proceedings under the provisions of this Act, the Valuation Rolls, Rate Books and Records of the Council, and all entries made therein, and extracts or certified copies thereof signed by the Town Clerk and sealed with the seal of the Council, and also all copies of any newspaper containing any notice necessary to be proved, shall, upon production thereof alone, be *prima facie* evidence of such rate and of the contents thereof without any evidence that the notices required by or other requirements of this Act have been complied with; provided that it shall be competent for any party to any such proceeding to offer evidence to prove the contrary.

Loans.

124. The Council may borrow money to liquidate the principal moneys owing by the Municipality on account of any previous loan, and for permanent works or undertakings for the benefit of the Municipality or of any Rating District, provided that:—

(*a*) No proposition to borrow money for such permanent works or undertakings shall be adopted by the Council unless a notice thereof has been published in the *Gazette* and in one or more newspapers published in the Municipality not less than one month nor more than three months before such proposition is adopted, stating the amount of the moneys proposed to be borrowed, and the purposes for which the loan is to be applied, and in case such loan is to be expended in the purchase of any land, works or undertakings, specifying such lands, works or undertakings, and in case the loan is to be expended in the construction of works or undertakings, stating that the plans and specifications and estimate of the cost of such works, and the statement hereinbefore mentioned are open for inspection at the office of the Council, and calling for objections to be lodged in writing with the Town Clerk.

(*b*) No resolution adopting such proposition shall be of force unless carried by a majority of the whole Council.

(*c*) No money shall be borrowed for permanent works or undertakings unless the approval of the Minister shall first have been given to such borrowing and to the work or undertaking for which such borrowing is proposed ; and the Minister may appoint an inspector to make a public inquiry into the propriety of such work or undertaking, and to hear any objections thereto and to report to him thereon. Provided : that if after the commencement of this Act, the Council of the Municipality borrow any money, as on the credit of the Municipality, which the Municipality is not legally bound to pay all Councillors who have consented to the borrowing of such money shall be jointly and severally liable to repay the same and all interest thereon to the persons from whom the same was borrowed, and the same may be recovered from such Councillors or any of them, as money lent by such persons to such Councillors in any Court of competent jurisdiction, but in no case shall such money be recoverable from the Municipality.

125. For the temporary financial accommodation of the Council, it shall be lawful for the Council to obtain an advance from any Joint Stock Bank agreed upon by resolution by way of overdraft of the current account ; provided that no such overdraft or accommodation shall at any time under any circumstances exceed the Council's income for the year ending 31st December previously ; and provided further that interest accrued on such overdraft shall be charged against the general revenue of the Municipality or against the special rate of any Rating District or Districts in due proportion as equity may require.

126. The Act No. 11 of 1867, known as the " Public Bodies' Debts Act, 1867," shall apply in the case of all debts due, or which may hereafter become due, by the Council, anything in the said Act to the contrary notwithstanding.

127. The Council shall cause to be kept with their bankers a loan account separate and apart from the Council's ordinary current accounts, and all moneys forming part of any loan incurred or taken over by the Council other than a temporary loan under section one hundred and twenty-five of this Act, shall be paid into such account and be applied solely to the purposes for which the same was borrowed : Provided, however, that the Council shall at any time be entitled to utilise temporarily for other purposes of the Municipality, any portion of such moneys not immediately required for use in connection with the purposes for which they were borrowed, if the amount so used temporarily together with any overdraft then existing in terms of section one hundred and twenty-five of this Act shall not exceed the income for the year ending on the last preceding 31st of December, and if the Council, by special resolution at a meeting at which not less than two-thirds of the Councillors are present, and voting, shall concur in such use and for reasons to be set forth in such resolution.

128. Whensoever the Council may deem it expedient to raise by loan on stock or debentures in the Colony any sums of money which may be legally borrowed, such stock or debentures shall be put up for public tender in such amounts as may from time to time seem fit, and may be disposed of for the best terms which can be thus obtained. If more tenders than one, offering the same or equivalent terms, shall be received for a greater amount of such stock or debentures than the amount for the time being about to be issued, it shall be lawful to accept any one or more of such tenders, or any part of any such tenders as circumstances may make expedient. If the tenders received shall be deemed unsatisfactory or if tenders for a portion only of the amount to be issued shall be accepted, it shall be lawful for the Council, at any time within six months after the date fixed for the opening of tenders to issue the whole or part of such amount, or of such portion thereof as may not have been disposed of by public tender to any persons applying for the same, at the best price obtainable, not

being less than the equivalent of the average rate offered by tender, or if no satisfactory and sufficient tenders shall have been received, at not less than the minimum rate prescribed in the advertisement calling for tenders, or a rate equivalent thereto at a different rate of interest.

Contracts.

129. The Council may carry out any works departmentally, and may from time to time enter into any contract with any person or company whatsoever, for any work to be done and performed, or for any materials to be furnished to and for the purposes of this Act, or in connection with any work authorised to be done by the Council, which contract shall specify the work to be done and the price to be paid for the same, and the time when the work shall be completed and the penalty to be suffered in case of non-performance thereof. Every contract shall be deemed to be duly executed on behalf of the Council if sealed with the common seal of the Council, and the affixing of such seal shall be duly witnessed by the Mayor and Town Clerk, or by two Councillors authorised by resolution of the Council, who shall attest such documents accordingly. No contract above the value of fifty pounds shall be entered into, unless fourteen days' notice be previously given in one or more of the newspapers published in the Municipality expressing the intention of entering into such contract, in order that any person willing to undertake the same may take proposals for that purpose, to be offered and presented to the Council at a certain time and place in such notice to be mentioned: Provided, always, that if the Council shall be of opinion that it will not be advantageous to contract with the person offering the lowest price or with any other person making a proposal, it shall be lawful for the Council to contract with such other person or persons as they shall think proper, and such person or company so contracting shall give security for the due performance thereof to the satisfaction of the Council: provided, further, that the foregoing conditions shall not apply to any agreement with regard to any advertisements published by the Council or to any matter of such urgency that it would be against the interests of the Council to delay, or to any purchases or orders which the Council may consider it necessary or expedient to make or place outside the Colony. Provided, further, that any Councillor who shall, either directly or indirectly, become a Contractor or tender for any contract, either in his name or in the name of, or jointly with any other person, shall forfeit all his share and interest in such contract for the benefit of the Council, and shall also be considered to have vacated his office of Councillor.

130. No Councillor shall be deemed or taken to have vacated his office of Councillor or to have incurred any penalty or forfeiture whatever, by reason merely that the Council shall have entered into any such contract as in the last preceding section mentioned, or any other dealing or transaction with any joint stock company in this Colony, of which such Councillor shall be a shareholder or in which he shall be otherwise interested, nor shall any shareholder or person otherwise interested in any joint stock company with which company the Council shall have entered into any executed or still subsisting contract, dealing or transaction, be deemed or taken to be ineligible to be elected or to act as a Councillor by reason merely of such contract, dealing or transaction: Provided, always, that no Councillor who is also such a shareholder or so otherwise interested as aforesaid shall be allowed to vote as a Councillor upon the question of making or entering into any contract, dealing or transaction with the joint stock company in which he is interested or upon any matter in connection with such interest, dealing or transaction; and any Councillor who shall so vote in contravention of this restriction shall for every such offence forfeit the sum of one hundred pounds: Provided, also, that nothing herein contained shall be deemed or taken to prevent the Mayor, being such a shareholder as aforesaid, from signing any such contract as by this Act is required.

Municipal Property.

131. From and after the taking effect of this Act there shall be vested in the Council:

(*a*) The property of and in the streets, roads, public lanes, thoroughfares, foot pavements, footpaths, sidewalks, squares, parks and open spaces, to which the inhabitants of the Metropolitan Municipalities shall have acquired or hereafter may acquire a common right and the property of and in the Green Point Common and of and in the foreshore within the Municipality excepting in so far as it is situated between the Harbour Board enclosure on the north side of the Breakwater and the mouth of the Castle moat or ditch;

(*b*) All right, title and interest in any lands or buildings which shall at the time of the taking effect of this Act be vested in the Councils of the several Metropolitan Municipalities: Provided always, that the Council shall not have the right to sell, part with, or lease or appropriate for building purposes any portion of the ground known as the Grand Parade, save with the approval by the Governor of a resolution of the Legislative Council and the House of Assembly: Provided further that the Council shall not be authorised or permitted to sell, lease or otherwise alienate the said buildings or lands without having first obtained the consent of the Governor for the time being to such sale, lease or alienation, and without having, previously to obtaining such consent, published such resolution to sell, lease or alienate during three successive weeks in two or more papers published in the Municipality: Provided, also, that nothing herein contained shall affect, or be construed to affect, any right or title which His Majesty's Imperial Government has, or may have, in the said lands or buildings or any part thereof;

(*c*) The property of and in all other movable and immovable property whatsoever which shall at the time of the taking effect of this Act be owned by the Council of any Metropolitan Municipality or be under the administration of such Council, and employed by it for the use of such Municipality.

132. The Council is hereby authorised and empowered to bring or cause to be brought any civil or criminal action or proceedings, in manner as is herein provided, against any person or persons who shall steal, break or otherwise damage any of the buildings or other things, the property in which is vested in the Council, subject, however, to the provisions of the law for the time being in force in that behalf; and in all such actions and proceedings it shall be and be deemed and taken to be sufficient to state generally that the article or thing for on no account of which such action or proceeding shall be brought is the property of the Council. If any person shall wilfully break, throw down, spoil, or damage any lamp, lamp-iron, lamp-post, pale, rail, chain, or other furniture thereof, or wilfully extinguish the light of any lamp, or shall break, spoil or damage any building, the property in which is vested in the Council, or shall wilfully break or damage any public watercourse, sewer, drain, pipe or ditch within the Municipality, it shall be lawful for any person who shall see the offence committed, to apprehend, and also for any other person or persons to assist in apprehending the offender, and by the authority of this Act and without any warrant to deliver him to any constable, who is to keep him in safe custody, and with all reasonable dispatch to convey him before any Resident Magistrate having jurisdiction, and if the person accused shall be convicted of any such offence by such Resident Magistrate he shall forfeit any sum not exceeding two pounds for every such offence, and shall also make full satisfaction for such damage not exceeding twenty pounds sterling as the Magistrate may at the instance of the Council summarily adjudge, and one moiety of such forfeiture shall be paid to the person or persons apprehending such offender, and the other moiety shall be applied for the purpose of this Act; and in case any such offender shall not on conviction pay the said forfeiture, such Magistrate is hereby required to commit him to the common gaol or house of correction, there to be kept at hard labour if such Magistrate shall so order, for any time not exceeding one calendar month unless such forfeiture shall be sooner paid: Provided nothing herein contained shall prevent the Council from electing to bring any civil action for damages against such offender before the Supreme Court, should they consider the amount of such damages to exceed the jurisdiction of the said Magistrate.

Water Supply.

133. If any person shall carelessly or accidentally do any such damage or injury as hereinbefore mentioned, and shall not upon demand make satisfaction to the Council for the damage or injury so done, it shall and may be lawful for the said Resident Magistrate, and he is hereby required, upon the application or complaint of the Council, to summon the party complained of, and upon hearing the parties on both sides, or on the non-appearance of the party complained of to examine the matter of complaint and award such sum of money, by way of satisfaction, to the Council for such damages as such Resident Magistrate shall think reasonable; and in case of neglect or refusal forthwith to pay such money, then the same, and all expenses attending the recovery thereof, may be levied and recovered as any penalty or forfeiture is by this Act directed, levied, and recovered in other cases: Provided, however, that nothing herein contained thall prevent the Council from bringing any civil action for damages against such offender before the Supreme Court should they consider the amount of such damages to exceed the jurisdiction of the said Magistrate.

134. The property of and in all reservoirs, springs of water, waterworks, main grate pipes, distributing pipes, pumps, and all appurtenances whatsoever which at the time of the taking effect of this Act belong to and are used for the supply of water in the several Metropolitan Municipalities aforesaid, shall be vested in the Council, provided that the cost of all such property shall be dealt with as provided in section eighty-one of this Act.

135. The Council is hereby empowered, subject to the provisions of section one hundred and twenty-four of this Act, to construct and make all such works as may, in the opinion of the said Council, be necessary and expedient for the purpose of impounding, storing, diverting, appropriating, taking or conveying the water hereinafter referred to, whether by reservoirs, dams, water-courses or leadings, pipes, conduits, drains, ditches or other means, and to erect such buildings as may be deemed requisite for the purposes of the said works for securing an adequate supply of water for the inhabitants of the Municipality, and for the shipping visiting the Port of Table Bay, and for such other purposes as the Council may desire, and is further empowered to raise and widen such dams and reservoirs and widen such water-courses and otherwise from time to time to increase such works so as to increase their capacity for impounding, storing, diverting, appropriating, taking and conveying the said water.

136. The Council is empowered to take, impound, divert, appropriate and convey from any rivers, stream or catchment areas, whether within the Cape Division or not, such a supply of water as they may require for the purposes of this Act. And for the purpose of enabling them so to do, it shall and may be lawful for the Governor, and he is hereby authorized to give and grant to the said Council in full and free property all Government land on which the rivers or streams selected by the Council take their rise, or all such Government land as is situate at or immediately adjoining the points on such rivers or streams from whence it is intended that such supply shall be taken, impounded and diverted, or which may form part of the watershed of such rivers or streams, or which may form part of any catchment area selected by the Council; provided, however, that if such taking, impounding, diversion, appropriation or conveyance shall deprive any person of any water or right of water which he may, at the time of the taking effect of this Act, possess or be entitled to, or in any way interfere with or lessen such water or right to water, the Council shall in their option either compensate such person for such impounding, diverting, appropriating and conveying such water, or expropriate the land or property in respect of which such person shall have the right to compensation, and in estimating the amount of compensation to be paid in either case all the like proceedings shall be taken and observed as are enacted in sections 143 to 145.

137. The Council is hereby empowered with the consent of the Governor to enter upon, occupy, enclose and use for the purpose of this Act any land belonging to His Majesty the King, commonly called "Crown Lands," and without such consent to enter upon, occupy, enclose, take, appropriate and use any land the private property of any person whomsoever, which may be required for the purposes of this Act and take, carry away or use for like purposes any stone, clay, gravel or other material, and may break up or excavate any land for the purpose of laying down, repairing, inspecting, maintaining or removing any reservoir or reservoirs, pipe or pipes, or other works, and also to enter upon and use any land whatsoever for the purposes of ascertaining the suitability of any river, stream or catchment area as a source of water-supply for the purposes of this Act.

138. It shall be lawful for the said Council with the consent of the Governor to acquire, appropriate and take possession of any land belonging to His Majesty the King commonly called "Crown Lands," or without such consent to acquire, appropriate and take possession of any land belonging to private persons, that may be required for the purpose of protecting the sources of the rivers or streams selected, or the sources of supply from whence the water may flow into the reservoirs, dams, or places, where the works may take off the water of the said rivers or any land forming part of any catchment area selected by the Council.

139. The said Council are hereby further empowered to lay down pipes or construct conduits under or along any public road or street or under or along any ground set apart in the diagram or conditions of sale of any sale of land as a street or thoroughfare, without making or being liable to make any compensation in respect thereof.

140. The Council is hereby further empowered to construct and maintain lines of telegraph and telephone between Cape Town and the sources of the water supply in such manner as the said Council may determine.

141. The Council shall have power to enter into any contract or contracts with any joint stock company or co-partnership or individuals for the performance of the whole or any portion of the works authorised by this Act.

142. It shall be lawful for the said Council at all times, by themselves, their engineers, contractors, or workmen, and with carts, carriages or otherwise, to have free access and right of way to, over and along the line of works, and to and from all other property of the said Council acquired under the provisions of this Act, for the purpose of adding to, repairing, relaying, or supervising the said works, or for any other purpose whatsoever that may be deemed expedient by the said Council in or about carrying out the purposes of this Act.

143. For the purposes of all arbitrations referred to in the next succeeding section there shall be three arbitrators to wit, A.B., C.D., and E.F., or such successors to them as the Minister shall appoint. The said arbitrators shall sit together, and the award in writing of a majority of them shall be binding and conclusive and may be pleaded in bar of any action or legal proceeding brought for or on account of the matter referred to arbitration; and in all claims against the Council for compensation for the deprivation of rights to storm-water, the said arbitrators shall presume, unless and until the contrary be proved, that such deprivation has caused no damage to the claimant.

144. If any person from whom any water or right of water, land or any stone, gravel, or other material may be required to be taken for the purposes of this Act, and the said Council shall not agree upon the purchase money, or hire or other recompense to be respectively given and accepted, then the said Council shall cause to be served upon such person or persons a written notice, offering as recompense or compensation whatever sum of money they shall deem sufficient, and requiring such person to state, in writing, to the said Council or to some other person by them appointed, within a certain limited time to be specified in the said notice, being not less than fourteen clear days after the service of such notice, whether he is willing to accept the sum therein mentioned or not, and if such person shall refuse the sum offered or neglect to reply to the said notice, then the said Council or other person aforesaid shall, in writing, call upon such person to refer to arbitration the amount of recompense or compensation to be paid to him by the said Council, and the said Council or other person as aforesaid shall cause a deed of submission to be prepared, which shall be signed by the said Council or other person aforesaid, and by the person claiming such recompense or compensation as aforesaid, and which shall clearly set forth the matter to be determined by the said arbitrators. And if any person as aforesaid claiming such recompense or compensation for land or materials shall refuse to sign the deed of submission, then the said Council or other person aforesaid may lodge in some joint-stock bank in the Colony the sum of money offered by them as aforesaid in their first notice in this section mentioned, for or on account and at the risk of such person as aforesaid, who shall at all times be entitled to draw the same out of the said bank as his absolute property, and the said Council or other person aforesaid, upon so lodging the said sum, shall be authorised to take and use the land or materials in question as freely as if the said sum had been agreed upon between the parties as the sum to be paid, or had been awarded by the arbitrators under the provisions of this section, and as if all acts by law required for vesting in the said Council or other persons aforesaid a sufficient title to the use of or property in the land or materials aforesaid had been duly done and performed.

145. In case the said Council or other person aforesaid shall require to take or use any land, or to dig out or carry away any materials or to acquire any water or right of water belonging to any minor or other person under guardianship or curatorship, then the guardian, or curator as the case may be, shall be authorised in his capacity as such guardian or curator to treat and agree with the said Council or other person aforesaid for the purchase or hire of the land or materials or water or right of water required, and to execute any contract which may be needful for carrying out any agreement which may be made, and in case of non-agreement to refer the matter in difference to arbitration, as in the last preceding section mentioned. But all moneys which shall either by agreement or arbitration be payable by the said Council for or on account of any land or materials or water or right of water in this section mentioned, shall be paid by the said Council to the Master of the Supreme Court administering the Guardian's Fund, who is hereby authorised to receive the same and to place the same to the credit of the minor or other person entitled to such money, and if in any case any person of full age shall by way of fidei commissary limitation or any limitation of a like nature be entitled to a life or other limited interest in any such land as aforesaid, in which any minor or other person under guardianship or curatorship shall be also interested in remainder or expectancy, then the whole value of the land or materials as fixed by contract or appraisement shall be paid as aforesaid to the Master of the Supreme Court, and the person who was entitled to the life or other limited interest may draw the interest on the sum so paid in: Provided, however, that if any such person shall desire to have his share of such sum apportioned and paid out, it shall be lawful for him to apply by motion to the Supreme Court for an

apportionment of such sum, and such Court shall in a summary manner, upon hearing the parties interested, apportion the said sum and order the said share of the applicant to be paid out to him, leaving the share of the minor or other person under disability, in the hands of the said Master, to be administered in like manner as moneys in the Guardian's Fund, the property of minors and persons under disability, are therein administered. Subject, however, at all times to such orders as the Supreme Court aforesaid may, upon motion of any person having an interest, see fit to make in regard to such money. And in case the said Council shall require to take or use any land or materials or to acquire water or right of water, of which the owner shall be absent from the Colony and not represented by any agent duly accredited, or shall not be discoverable, then it shall be lawful for the said Council, and it is hereby authorised to cause a notice to be inserted in the *Government Gazette* and one or more local papers for four successive weeks, describing as accurately as may be the land or materials or water or right of water which are required to be used or taken, and calling by name on the owner of the said land or materials or water or rights of water if known, to take notice that the said Council is ready and willing to treat with the owner or owners or any person duly authorised by him or them, for the recompense or compensation to be made by the said Council for the said land and materials or water, or right of water, and requiring such owner or owners to apply within six months from the date of such notice, which shall be the day of its publication, to the said Council stating the recompense or compensation claimed, and if the owner or owners shall apply within the said period then the like proceedings in regard to the agreement for or otherwise determining the recompense or compensation to be respectively given and received shall in all respects be had and taken which are prescribed in the last preceding section, precisely as if the said owner or owners had from the first been in actual possession. And in case the owner or owners shall not apply to the said Council within the said period then it shall be lawful for the said Council to appoint some competent person to be approved of by the Civil Commissioner of the Division to appraise the value of the land or materials, and such person shall make oath before some Justice of the Peace that he hath to the best of his judgment fairly appraised such value, and thereupon it shall be lawful for the said Council to pay the sum at which such person shall have valued the land or materials or water or right of water in question into the Guardian's Fund to the credit of the party or parties entitled thereto, subject to the same provisions in all respects which are provided by the Ordinance No. 105 bearing date the 5th July, 1833, in regard to moneys placed in the same fund belonging to persons absent from the Colony. And the said Council upon so paying the said sum shall be authorized to take or use the land or materials or water or right of water in question as freely as if the said sum had been agreed upon between the parties as the sum to be paid, and as if all acts by law required for vesting in the said Council title to the use of or property in the land or materials as aforesaid had been duly done and performed.

146. Any person who shall wilfully injure, damage, disturb, obstruct or interrupt any building, or line of telegraph or telephone, erection, conduit, reservoir, dam, watercourse, drain, ditch, pipe or pipes or other work or works authorised by this Act, or shall obstruct, hinder or prevent the forming, constructing, completing or maintaining the same shall upon conviction forfeit for the use of the said Council a sum not exceeding one hundred pounds, or be imprisoned with or without hard labour for any period not exceeding six calendar months, or to both fine and imprisonment: Provided that nothing in this section contained shall be held or taken to exempt such person from any civil or criminal liability for any of the aforesaid acts to which he would have been subject if this Act had not been passed.

147. Any person who shall bathe or wash himself in any dam or reservoir belonging to the said Municipality or any stream flowing into such dam or reservoir, or shall wash, throw or cause to enter therein any dog or other animal, or who shall place or throw any rubbish, dirt, filth or other noisome thing in any such dam, reservoir or stream, or wash or cleanse therein any wool, leather or skin of any animal, or any clothes or any other thing shall, for every offence on being convicted thereof, forfeit for the use of the said Council a sum not exceeding five pounds, and on failure of the payment of such fine, the party convicted shall be liable to be imprisoned with or without hard labour for any period not exceeding twenty-one days.

Powers and Duties of the Council.

148. The Council shall cause to be made, provided, erected, and built, covered in or removed, such bridges, sluices, dams, or reservoirs, watercourses, drains, and ditches as now are or shall be deemed necesary within the Municipality, and shall cause the same to be kept at all times in good and efficient repair, and from time to time to make such rules and regulations thereon as they shall find necessary.

149. The Council is hereby authorised and required to remove, put down and abate all nuisances of a public nature within the said Municipality, or which may tend either to injure the health or in a way affect the safety or reasonable comfort, peace and quiet, or the rights of the inhabitants at large, and if need be, to proceed at law before the Resident Magistrate or Supreme Court, against any person or persons so committing such nuisance for abatement thereof and recovery of damages, if any; and the Council shall and they are hereby required to cause all streets, watercourses, drains, roads and places within the said Municipality to be kept clean and free from dirt, filth or rubbish; and any person convicted upon the complaint made by the Council to the Resident Magistrate, of throwing dirt, filth or rubbish into any such street, road, watercourse, drain, or place as aforesaid shall forfeit and pay any sum of money not exceeding five pounds; and in default thereof to be imprisoned for any period not exceeding two months unless such fine shall be sooner paid.

150. The Council shall cause the public streets, roads, and places, within the Municipality, to be at all times kept in good and efficient repair; and as far as the funds of the Municipality shall permit shall cause such new streets and roads to be made as may be necessary for the public use, and shall keep the same in good and efficient repair, and from time to time make such rules and regulations thereon as to them shall seem fit.

151. The right to and property in all and singular the main and divisional roads within the Municipality, and to and in all gates, bars, sheds, houses, buildings, toll-houses, public dams upon or belonging to any such main or divisional road, shall vest and is hereby vested in the Council of the Municipality; and the provisions of the last preceding section shall extend and apply to such roads.

152. It shall be lawful for the Council to make provision for lighting in a suitable manner the whole streets, lanes, squares, public passages, thoroughfares and public places within the Municipality, and to provide, erect and maintain, or grant leave to any person or persons, company or companies to provide, erect and maintain, under such conditions as they may see fit, such a number of lamps, lamp-posts, lamp-irons, and other appliances and appurtenances as may be necessary for that purpose, and to light or enter into contracts for lighting, and cause to be lighted such lamps by means of oil, gas, electricity or otherwise; and the Council are hereby authorised to order and require such lamp-posts, lamp-irons and other appliances and appurtenances to be put or fixed upon the sides of the pavements, footways, streets and roads, or upon or against the walls and palisades of buildings on the sides of the streets, without being liable to any claims for compensation. And the Council may also from time to time make such regulations on the aforesaid matter as they shall find necessary.

153. The Council is hereby empowered with the consent of the Local Authority, to supply electricity, electric energy or power for the purpose of lighting or supplying motive or other power to any person, corporation or public body in the Cape Division, and may enter into contracts for that purpose, subject, however, to provisions of Act 42 of 1895.

154. From and after the promulgation of this Act, no person, corporation or public body may supply within the Municipal limits, either for sale or otherwise, any electricity, electric energy or power for the purpose mentioned in the preceding section without the permission of the Council given in writing under the Corporate Seal, subject to such conditions as the Council may see fit to impose, which permission the Council shall not be obliged to grant; provided, however, that this clause shall not apply

(*a*) To any existing undertaking or works constructed or in course of construction before the passing of this Act, by virtue of any rights previously acquired;

(*b*) To any undertaking or works which may be constructed or employed by any owner or occupier of property for supplying electricity, electric energy or power upon the property of such owner or occupier only; provided however that nothing in this sub-section shall be held to empower any such owner or occupier to place any wires, standards or the like on, over or under any street, road or other place the title to which is vested in the Council or to which the inhabitants of the Municipality have or may acquire any common right;

(*c*) To any undertakings or works now constructed or to be hereafter constructed by any railway or tramway company or to any rights which the Metropolitan Tramway Company, Limited, may have acquired under Act 22 of 1895 or under any agreement with the Corporation.

(*d*) To any undertakings or works now constructed or to be hereafter constructed by or on behalf of the Imperial Government, the Colonial Government or the Table Bay Harbour Board for the use of the said Governments or Board with the power to contract as between themselves.

155. The Council is hereby empowered to supply water to any person, corporation, or public body beyond the boundaries of the Municipality, and may enter into contracts for that purpose.

156. After the Council shall have conveyed into the Municipality a supply of water sufficient for all the inhabitants of the Municipality, the Council shall have power to call upon the owner of each and every house entitled to a supply of water under the terms of this Act to take from the Council at his own expense a water-leading and a supply of not less than one hundred gallons per diem and to pay the price thereof, and upon being so called upon every such owner shall be obliged so to do.

157. It shall be lawful for the Council from time to time to cause such sewers, drains and pipes to be made, laid, altered, deepened, covered over and maintained within the Municipality as shall be necessary for the effectual draining of the Municipality or any portion thereof, and from time to time to cause to be made and maintained all such reservoirs, sluices, engines, ventilating shafts and other works as shall be necessary for cleansing and ventilating such sewers, drains and pipes, and if needful they may carry such sewers, drains, pipes and ventilating shafts through and across private lands or beneath or against private buildings, making compensation for any damage done, which compensation shall, if not mutually agreed upon, be settled by arbitration; and the Council or any persons duly authorised by them shall have right of access for maintenance of such sewers and drains.

158. The Council may within the limits of the Cape Division carry any sewer through, across, or under any public road or street, or any place laid out as, or intended for a public street, and through, across, or under any vacant or unimproved Crown land, or any vacant or unimproved land belonging to the Municipality, and may expropriate any vacant or unimproved Crown land for a sewage farm, pumping station, or for other purposes connected with the drainage and sewage of the Municipality or any part thereof without paying compensation.

159. The Council shall have power to take and expropriate at such price as may be fixed by arbitration any landed property within the Cape Division required by them for the purpose of sewage works and pumping stations and generally for any purpose connected with the drainage and sewage of the Municipality and may carry their drains and sewers through or beneath any landed property lying within the Cape Division along any proposed route for such sewers from the Municipality to the said sewage works, paying such compensation for damage done as may be ascertained by arbitration, and the Council and its officers and servants shall have right of access to private property for maintenance and inspection of all such sewers and drains.

160. The Council shall at least one month before commencing the construction or extension of any sewer or sewage works beyond the limits of the Municipality give notice of the intended work by advertisement in one or more newspapers published in the Municipality. Such notice shall describe the nature of the intended work, and shall state the intended terminus thereof, and particulars of the roads, streets, and other land (if any) through, across, under or on which the work is to be done; and shall name a place where a plan of the intended work is open for inspection at all reasonable hours, and a copy of such notice shall be served on the owners or reputed owners, lessees, or reputed lessees, and occupiers of the land, and on the local authority having the care of such roads or streets.

161. If any such owner, lessee or occupier, or any such local authority or any other person who would be affected by the intended works objects to such work and serves written notice on the Council of such objection at any time within the said period of one month, then the intended work shall not be commenced without the sanction of the Governor, unless such objection is withdrawn.

162. The Governor may on the application of the Council appoint an Inspector to make an inquiry on the spot into the propriety of the intended work, and the objections thereto, and to report to such Minister as the Governor may direct on the said matter. And on receiving the report of such Inspector the Governor may make an order disallowing the intended work, or allowing it with such modification (if any) as he may deem necessary.

163. The Council may deal with any land held by it for the purpose of receiving, storing, disinfecting, or distributing sewage in such manner as it deems most profitable, either by leasing the same for a period not exceeding twenty years for agricultural purposes, or by contracting with some person to take the whole or part of the produce of such land, or by farming such land and disposing of the produce thereof; provided always that in dealing with land for any of the above purposes, provision shall be made for effectually disposing of all the sewage brought to such land without creating a nuisance. And provided further that before exercising the powers set forth in this section, the Council shall give all such public notices and serve all such notices as are in the three last preceding sections referred to, and if objections are raised thereto, shall not proceed therewith until the sanction of the Governor is first had and obtained.

164. No house or building shall be erected over any sewer or drain belonging to or vested in the Council without previous notice to them so that such works as they may deem necessary may be executed for the protection of the sewer or drain; and if any house or building be erected, without such notice, the Council may demolish the same, and the expense incurred thereby shall be recoverable by the Council from the person erecting such house or dwelling.

165. Every person who without the written consent of the Council shall make or cause to be made any opening into any public sewers or drains, or who shall destroy or injure, or cause to be destroyed or injured, any of the said sewers or drains or any works in connection therewith, vested in or constructed under the authority of the Council, shall be liable to a penalty not exceeding ten pounds sterling over and above the expenses incurred by the Council in making good the damage thereby occasioned; and such penalty and expenses shall be recoverable in any court of competent jurisdiction, and upon failure to pay such penalty and expenses such person may by order of such court be imprisoned for a period not exceeding three months.

166. It shall be lawful for the Council from time to time to enter into agreements with the Colonial Government, the Councils of other Municipalities and other public bodies in the Cape Division with a view to carrying out any public works or for any public purposes which in the opinion of the parties to the agreement it is advisable should be dealt with jointly, and such agreements shall be in such terms and upon such conditions as may be mutually agreed upon.

167. The Council may from time to time as occasion may require, keep up and establish within the Municipality, a market or markets for the sale of cattle, meat, fish, game, poultry, vegetables, fruit, and other produce, and may cause suitable land, houses and buildings to be purchased, built, erected and kept in repair for the convenience of persons attending, holding and superintending such market or markets, and in connection therewith may lease or let out stalls or portions of such market or markets upon such terms and conditions as they may deem advisable, and may also frame and make such regulations and impose such fines as they shall think necessary for ensuring order and cleanliness within the said market or markets.

168. The Council may from time to time make regulations for the due and proper care of weights and measures and with reference to the quality and assize of bread, and the quality of meat and other eatables; and may empower any person, at all times to visit, and enter into the shops or places where bread, meat, fish and other eatables are sold for the purpose of assizing the bread and examining the weights and measures, and also of taking proper care that the bread, meat, fish, game or other eatables therein sold are good and wholesome, and to seize, confiscate, remove and destroy all bad or unwholesome bread, meat, fish and other eatables.

169. The Council shall have power to require the due registration of births and deaths of individuals within the Municipality; and with regard to deaths, they shall be entitled to require medical men to grant to persons entitled to ask therefor, under any regulation which may be framed, such certificate as to the cause of death as may be required to be furnished to the Council by such persons. And no undertaker, or other person shall bury a corpse, and no person or persons shall remove or cause to be removed any corpse outside the Municipality until a certificate of the registration of death by the Council shall have been exhibited to him. And the Council may make such bye-laws or regulations with reference to births, deaths and burials as to them may seem expedient, and shall therein provide for the registration of deaths upon every day of the week.

170. The Council may with the consent of the Governor contribute annually, out of the general municipal revenue, towards the expense of the South African and other Public Libraries under such conditions as the Council shall impose.

171. The Council may with the consent of the Governor contribute annually, out of the general municipal revenue, in aid of Somerset Hospital of Cape Town and any other Public Hospitals within the Municipality, in such manner and under such conditions as the Council shall deem advisable.

172. The Council may from time to time out of its revenues, other than rates, pay such sums as it may deem necessary towards public functions, public demonstrations, and to defray the expense of the representation of the Council as such on any such occasion; provided, always, that nothing herein contained shall be construed so as to permit any Councillor to make any profit out of such sums. And the Council may further annually pay to the Mayor, to be expended by him, as Mayor, for the purposes of public hospitality, a sum not exceeding five hundred pounds sterling, anything to the contrary in this Act contained notwithstanding. And the Council may further annually pay to any college or public school such sum annually as may be deemed expedient for the promotion of Higher or Elementary Education within this Municipality.

173. The Council may pay to such officers and servants of the Municipality as shall be superannuated or become unfit for duty, such pensions or retiring allowances as such officers or servants would be entitled to according to the scale and regulations at the time existing relative to pension or retiring allowances of the civil service of the Colony, and pay such allowances and gratuities to the wives and families of deceased officers or servants as they may deem proper and expedient.

174. The Council may from time to time make, establish, construct and maintain public baths, abattoirs, refuse destructors, urinals, latrines, cabmen's shelters, coffee stalls and wash-houses, with or without drying grounds, and public bathing places for the use and accommodation of the inhabitants of the Municipality, and for any such purposes may expropriate, purchase and acquire lands and buildings and may utilise municipal property, and may from time to time fit up, furnish and supply the same respectively with all requisite furniture, fittings, requirements and conveniences, and from time to time alter, enlarge, repair, renew and improve the same respectively and afford the use thereof respectively to such inhabitants at such reasonable charges and under and subject to such regulations as the Council may deem expedient.

175. Whenever any of such public baths, bathing places, abattoirs, refuse destructors, urinals, latrines, cabmen's shelters, coffee stalls, wash-houses or drying grounds are deemed by the Council to be unnecessary or too expensive to be kept up, or for other reason it be deemed inexpedient to continue the same the Council may discontinue the same and sell by public or private sale the lands, buildings and materials for the best price that can reasonably be obtained; provided that no such sale shall be made unless the Council resolve thereon at a meeting at which two-thirds of the Councillors in office be present, held not less than a fortnight after notice shall have been given to the Council at a meeting thereof of an intention to move that such discontinuance be carried out and such sale effected.

176. The Council may from time to time make, establish, maintain, enclose and provide gardens, parks, ornamental, pleasure, recreation, athletic, and racing grounds and pavilions, refreshment rooms, lavatories and other conveniences in connection therewith for the use of the inhabitants of the Municipality or any section thereof, and may from time to time level, drain, plant and otherwise lay out and improve the same for the more convenient use and enjoyment thereof, and the general management, regulation and control of the same shall be vested in the Council who may from time to time determine the charges if any to be made for the use thereof.

177. The Council may from time to time, upon obtaining the consent of the Colonial Government and of the Table Bay Harbour Board respectively, execute, construct, carry out, improve, work, manage, and control wharves and piers with buildings thereon in Table Bay, and embankments and promenades and such buildings along the seashore, and may in order to make such embankments, promenades or buildings or carry out any other work of public utility upon obtaining such consent as aforesaid, reclaim land from the sea in Table Bay; and all such wharves, piers, embankments, promenades and reclaimed land shall be vested in the Council who shall have the control and management thereof, and be entitled to make regulations with regard to the use thereof, and the charges to be made in connection therewith.

178. The Council may from time to time erect and construct buildings and may from time to time alter, enlarge, repair and remove the same and fit up, furnish and supply the same respectively with all requisite furniture, fittings and conveniences and may from time to time let or lease such buildings or such parts thereof as are not immediately required for the Council's purposes.

179. The Council may for the purpose of municipal improvement, expropriate, purchase and acquire land, with or without buildings, and may remove, alter, renew or repair such buildings and erect new buildings upon such land and all streets which they may close to traffic, and the Council may from time to time sell, let, lease or otherwise deal with any property so acquired without obtaining the sanction of the Governor: Provided that no act shall be done under the powers by this section conferred unless and until such act shall have been resolved upon by a majority of Councillors at the time in office at a meeting of the Council held not less than a fortnight after notice shall have been given to the Council at a meeting thereof of an intention to move for such expropriation or purchase, and that no such expropriation of land shall take place until the Council shall have prepared a plan showing the nature of the intended improvement or work, and shall one month before proceeding to expropriate have given notice in two or more newspapers published in the Municipality of the intended expropriation, and setting forth a place where the said plan shall be open for inspection at all reasonable hours, and until a copy of such notice shall have been served on the owners or reputed owners, lessees or reputed lessees, and occupiers of the said land: Provided further that if any person interested as owner, lessee, or occupier, shall within such period of one month serve written notice on the Council of any objection to any expropriation at any time

within the said period of one month, then such intended work shall not be commenced without the sanction of the Governor, unless such objection be withdrawn; and the Governor may, on the application of the Council, proceed as in section 162 of this Act set out, and make such order as in the said section is referred to.

180. Should any property acquired by the Council under the terms of this Act include or constitute the whole of the properties on both sides of any street, lane or thoroughfare; the Council is hereby invested with authority to close such street, lane or thoroughfare, provided, always, that if the Council decide to close any such street, lane or thoroughfare, they shall not less than one month prior to so doing advertise their intention in two or more local newspapers, during which time any person feeling aggrieved by such contemplated closing may apply to any competent Court for relief, and upon any such application being made within such period of one month the Court shall be entitled to restrain the Council from such closing unless they shall satisfy the Court that no real or substantial damage will be occasioned to the applicant or until they shall have expressed their willingness to make compensation for such damage as may be found by arbitration to have been caused to such applicant.

Fire.

181. The Council may purchase or provide such engines for extinguishing fire, and such water buckets, pipes, and other appurtenances for such engines, and such fire escapes and other implements for safety of use in case of fire, and may purchase, keep or hire such horses for drawing such engines as they think fit; and may purchase, build, provide or hire places for keeping such engines with their appurtenances, and for the horses, and for the accommodation of the persons charged with the management thereof, and shall employ a force of firemen, to be called "The Municipal Fire Brigade," which shall be under the command of an officer appointed by the Council, and styled the "Superintendent" of the Fire Brigade, and the Council may make rules for the regulation of the said force, and may therein prescribe who shall be the officer in charge of the brigade at any fire when the superintendent is absent or incapacitated from acting, and may also give such firemen and other persons such salaries and rewards for their exertions in case of a fire as the Council think fit. In the absence or incapacity of the superintendent, unless it be otherwise prescribed in the regulations, the senior in rank in the brigade present at any fire shall assume the duties of the superintendent, and be the officer in charge for the time being.

182. On the occasion of any fire within the Municipality, the superintendent of the said brigade, or the officer in charge, shall, from the time he arrives at the fire, have control over the property on fire, and over such other property as may be considered by him at risk, and shall so continue until he reports to the Council that the fire has been extinguished, which report may be made verbally to the Mayor or Town Clerk. He may in his discretion avail himself of the assistance, and if he does accept such assistance, shall take command, of any persons who may voluntarily place their services at his disposal, and generally he may take any measures that may appear expedient for the protection or saving of life and property, with power by himself, his men, or any person under his command, to enter upon, break into, or through, or take possession of, pull down, or destroy any buildings or other property for the purpose of protecting, saving life or property, or putting an end to or preventing the spread of a fire, doing as little damage as possible; and for all these purposes he shall have free right of access to, and liberty to draw water from all tanks, cisterns, pipes or other supplies of water, whether on municipal or other property. The persons volunteering as aforesaid and any persons whose services may be temporarily engaged, for the time they are assisting shall be deemed to be members of the said brigade, and the superintendent or the officer in charge shall have power to dispense with the services of any of them at any time.

183. The police shall aid the brigade in the execution of their duties: they may close any street, passage or thoroughfare, in or near which a fire is burning, and may on their own authority, and shall at the request of the superintendent or other officer of the brigade, remove any persons who may interfere, or are considered as likely to interfere by their presence or otherwise, with the operations of the brigade.

184. The brigade, the police, and all persons acting under the orders of the superintendent or the officer in charge, are hereby indemnified and exempted from all claims or demands whatever by reason of anything necessarily done in the execution of their duty, and the Mayor, Deputy Mayor, and Council are hereby indemnified and exempted from all claims or demands whatsoever by reason of any damage done upon sufficient necessity by them, the brigade, the police, and other persons aforesaid.

185. The Council shall be authorised to charge on a private dwelling-house and its out-buildings which shall be or shall have been on fire or which shall only have been prevented from taking fire by the efforts of the brigade, the sum of five pounds sterling for the services of the brigade and the use of the fire engines and appliances, and

also the sum of one pound sterling per hour for every jet of water during the time that such jet shall be playing upon the said dwelling-house, its out-buildings and contents, and upon the adjoining buildings and erections, to prevent the extension of the fire. And the Council are hereby authorised to charge on every building (other than a private dwelling-house and its out-buildings) which shall be or shall have been on fire or which shall only have been prevented from taking fire by the efforts of the brigade the sum of ten pounds sterling for the services of the brigade and the use of the fire engines and appliances, and also the sum of two pounds sterling per hour for every jet of water supplied from the municipal waterworks during the time that such jet shall be playing upon any such building and its contents and upon any adjoining buildings and erections to prevent the extension of the fire: Provided, however, that the provisions of this section shall not extend to any buildings owned or occupied by the Government of this Colony when and so long as any special agreement exists between the Council and the Government as to the terms upon which the Council will grant the services of the brigade and supply water for the extinguishment of fire upon such buildings.

186. The amounts charged on any building, in terms of the last preceding section, shall be payable by the owners and occupiers of such building in equitable proportions, and the distribution thereof shall be made by the superintendent or officer in charge, whose certificate shall be final and binding upon all parties interested, without appeal or review on any ground whatever. The amount charged on any building shall, however, be recoverable by the Council from the owner or occupier thereof, or both, who may be sued jointly or severally, each for the full amount, in any court of competent jurisdiction, and any owner or occupier paying the full amount charged as aforesaid, shall be entitled to be reimbursed by the other owners and occupiers to the extent to which according to the said certificate they are severally liable.

187. No expenses incurred by the Council, superintendent or officer in charge, in causing to be pulled down or destroyed, any buildings or erections, or any parts thereof, for the purpose of putting an end to or preventing the spread of a fire, or for saving life, or in attempting to save buildings adjacent to or in the vicinity of a fire, shall be chargeable against the owners or occupiers of immovable property, but the Council shall not be liable to rebuild or repair or make compensation for any damage caused to any person or any buildings or other erections so dealt with.

188. The Council shall be entitled to sue for and recover all expenses incurred by them, the superintendent and officer in charge, in saving and removing and in attempting, or with a view to save or remove movable property from any buildings or erections on fire and from any buildings or erections adjacent to or in the vicinity of any buildings or erection on fire, and all expenses in keeping safe custody thereof, from the owners of the movable property saved or removed in equitable proportions, and the Council shall have an absolute lien upon the movable property so saved or removed until the expenses aforesaid shall have been received by the Council. The apportionment of the expenses aforesaid shall be made by the superintendent or the officer in charge, whose certificate shall be binding on all parties without appeal or review on any ground whatever: and if the aforesaid lien be not paid and discharged within twenty-one days, the Council shall have the right to sell and dispose of the said movables, or any of them, by public auction after three days' notice in two or more newspapers published in the Municipality, and after applying the net proceeds in reduction of such expenses may sue for and recover any deficiency which may be found to exist.

189. The superintendent or the officer in charge shall make a report in writing to the Council on every fire he attends, and shall also send a similar report to the Resident Magistrate of the district forthwith after the fire.

190. All expenses incurred by the superintendent, the brigade, and the Council in the saving and removing or attempting to save or remove movable property, and in operations to save property and extinguish fire, charged against, and recoverable by the Council from owners or occupiers of movable or immovable property under this Act, and all damage occasioned by the brigade in the execution of their duties, and all sums chargeable upon any buildings, and payable in terms of section one hundred and sixty-three, shall be deemed to be loss or damage by fire within the meaning of any policy of insurance of such property or buildings against fire: Provided that nothing herein contained shall be construed so as to compel any Insurance Company to pay any sum in excess of the full amount insured in terms of such policy.

RULES AND REGULATIONS.

191. The rules and regulations being in force at the time of the taking effect of this Act in any Metropolitan Municipality, in so far as the same are not contrary to law and not repugnant to or inconsistent with the true intent and meaning of this Act, shall remain as legal, valid and effectual within the Rating District succeeding

such Metropolitan Municipality as if the same had been word for word inserted in this Act, until such time as the Council shall in due form of law have altered or repealed the same.

192. The Council may from time to time repeal, alter, add to or amend any of the municipal rules and regulations, and may frame any new rules and regulations within the scope of existing rules and regulations and the provisions of this Act, and from time to time add to, alter or amend the same.

193. The Council may also from time to time make, alter, revoke or amend rules and regulations for all or any of the following purposes :—

(1) For regulating the duties of the Council's officers and servants ;
(2) For regulating the level, width, direction and construction of new streets made by the Council or by owners of private property and the sewerage or drainage thereof ;
(3) For regulating the structure of walls, foundations, roofs and chimneys of new buildings, also their height and cubical contents, and the fixing of fireproof doors and shutters, at internal and external openings ; for securing stability, the observance of sanitary precautions, the prevention of fires, and for purposes of health and public safety ;
(4) For regulating the sufficiency of space about buildings to secure a free circulation of air, and with respect to the ventilation of buildings ;
(5) For regulating the drainage and sewerage of buildings and for compelling the connection at the owner's expense of private drains with public drains, sewers or pipes, and for regulating the construction by the Council at the owner's expense of all house drains in so far as they connect with and extend from the main sewer to the back line of the footway of the street ;
(6) For regulating waterclosets, earthclosets, privies, ashpits and cesspools in connection with buildings, and to prohibit the use of such of them as the Council consider ought not to be allowed to continue ;
(7) For regulating with respect to the closing of buildings or parts of buildings unfit for human habitation, and the prohibition of their use for such habitation ;
(8) For prohibiting brothels, the overcrowding of houses, dwelling places and rooms and the erection of objectionable buildings ;
(9) For securing the regularity of lines and levels of buildings, the class of architecture of buildings, and the removal, alteration and prevention of projections or obstructions in front of buildings.
(10) For regulating the giving of notices, and the deposits for the Council's approval of plans and sections by persons intending to lay out streets or to construct or alter buildings ; the inspection by the Council or its officers ; and as to the power of the Council to prevent, remove, alter, or pull down at the expense of the owner any work begun or done in contravention of its regulations.
(11) For compelling the pulling down, removing or rendering safe all buildings, walls, bridges, earthworks and stoops of an unsafe or dangerous character or which have been allowed to fall into a dilapidated or ruinous condition, and for doing so at the cost of the owner ;
(12) For regulating the inspection of buildings and structures by the Council and its officers ;
(13) To provide for the due and proper care of the common pasture and other municipal lands, and therein to specify and regulate the quantity and kinds of live stock which each inhabitant shall be allowed to keep and depasture on the said lands ;
(14) For preventing the spread of contagious or infectious diseases and for preserving the public health ;
(15) For regulating and preserving public parks, walks, avenues, botanical gardens, public libraries, bleaching and drying greens and grounds, public wash-houses, abattoirs, urinals, latrines, cabmen's shelters, coffee stalls, public baths, public places of recreation and open spaces, and preventing offences, nuisances and annoyances therein ; and for regulating bathing and the hours of bathing near public thoroughfares or near any of the quays or piers ;
(16) For regulating the storage, carriage, removal and use of gunpowder, dynamite, petroleum, oils, fireworks and other combustibles, and explosives, and for regulating the use of firearms ;
(17) For regulating the removal of night soil, stable litter, filth, and refuse from private premises and from all streets, roads and public places, and for regulating the time and mode of removal of any offensive matter or thing ;

(18) For imposing a tax upon the keeping of dogs and providing with regard to the seizure, sale and destruction of ownerless dogs and those in respect of which the tax has not been paid;

(19) For the abatement of nuisances and causing vehicles to be kept under proper control; for preventing and removing obstructions in the streets, roads, public thoroughfares, squares, open spaces, foot pavements and sidewalks of the city; for dealing with diseased animals, and the burial of dead animals, and the driving of live stock through the streets, and as to live stock found straying in the streets;

(20) For regulating the naming from time to time of the streets, roads, thoroughfares, and open spaces in the Municipality, and the numbering and renumbering the houses, buildings and places therein, and imposing duties and obligations upon the inhabitants in respect thereof;

(21) For regulating the killing of cattle and sale of butcher's meat, the establishment and locality of slaughter houses, the keeping of slaughter houses and meat shops in a cleanly and proper state, and removing the filth therefrom, and requiring that all such places shall he provided with a sufficient supply ot water;

(22) For providing that cattle, dogs, live stock and poultry shall not be kept in such places, or in such manner as to be a nuisance or annoyance to the inhabitants; for prescribing the situations or places in which swine may be kept, and for prohibiting, if deemed advisable, the keeping of swine;

(23) For regulating the beating or shaking of carpets, rugs or mats in streets or public places generally, and the hours within which carpets, rugs or mats may be beaten;

(24) For regulating the supply and distribution of any water under the control or management of the Council, the quantity of water to be supplied to and taken by the inhabitants, the price to be paid therefor, the time or times at which such supply is to be received, and for the purpose of preventing any waste of drinking water within the Municipality;

(25) For establishing one or more pounds within the Municipality and for providing for the management of pounds, the appointment of poundmasters, and for making such pound regulations as may seem necessary or expedient;

(26) For preventing any person or persons from carrying any board, basket or burden, so as to obstruct or incommode passengers on any sidewalk or foot pavement, and for preventing the wheeling of perambulators, wheelbarrows and similar vehicles on any sidewalk or foot-pavement, except for the purpose of crossing the same to or from any house or building;

(27) For preventing persons from congregating with others and thus causing an obstruction in any footpath, foot-pavement, sidewalk or crossing, and for preventing the flying of kites, the use of catapults, and playing of games in public streets, thoroughfares, and open spaces, and for preventing the obstruction of public streets, thoroughfares and open spaces;

(28) For preventing the pollution of any water which the inhabitants have a right to use;

(29) For regulating the width, kerbing, paving, guttering, gravelling, cleansing and watering of roads and streets;

(30) For supervising and licensing pleasure boats and vessels, and prescribing the fees to be paid;

(31) For granting licences or permits for the making of bricks and for digging or removing sand, clay or gravel and for quarrying stone, and for cutting firewood, brushwood or grass upon municipal lands, and to prescribe the fees (if any) to be paid for the same;

(32) For regulating traffic and processions;

(33) For regulating, supervising and licensing hackney carriages and cabs, for fixing the amount of licence fees to be paid, the number of passengers to be carried, the fares to be charged, amount of luggage allowed to passengers, for regulating disputes as to fares, the position of cabs on stands to be appointed by the Council, and for the safety and convenience of passengers and the public;

(34) For regulating, supervising and licensing wagons, carts and other conveyances or vehicles drawn by any horse, mule, donkey or ox kept or used within the Municipality or plying for hire or profit, and for fixing the licence fees to be paid;

(35) For regulating the supervising and licensing of tramcars and omnibuses and for fixing the licence fees to be paid, the number of passengers to be carried, precautions to be taken and provisions to be made against accidents, and regulating for the safety and convenience of the public;

(36) For regulating the keeping in repair and paving of tramway and railway lines running over public streets or roads, and the keeping in repair and paving by tramway and railway companies and owners of tramcars and railways of the roadway between and adjacent to their rails;

(37) For regulating the use of bicycles, tricycles and velocipedes in streets, squares, thoroughfares and public places;

(38) For regulating or prohibiting the cleaning and training of animals, repairing, cleaning and outspanning of vehicles in streets and public places;

(39) For regulating the conditions upon which and the locality where noisome and offensive trades may be carried on, and for prohibiting if deemed desirable the establishment of and for restraining the same;

(40) For planting and preserving trees and shrubs;

(41) For regulating and registering houses let or occupied as common lodging-houses and sub-let tenement houses, boarding-houses and hotels, and inspecting such houses and hotels, and the keeping the same in a cleanly and wholesome state.

(42) For maintaining generally the good rule and government of the Municipality, and the safety, convenience and comfort of its inhabitants;

(43) To empower the Council to make regulations regarding the licensing and supervision of traction engines, street locomotives, motor cars, trailer wagons and other vehicles drawn or propelled by steam, electricity, air, or oil, or other mechanical power other than railway locomotives, and to regulate and control their use in public streets, and to impose and recover licence fees from bodies, companies or persons owning, keeping, or using the same;

(44) To compel the owners or occupiers of vacant or unoccupied land within the Municipality, abutting on or adjacent to any public street, road or thoroughfare, to enclose or fence in the same;

(45) To empower the Council to make regulations as to the landing and killing of sea birds and for the prevention of wanton cruelty to the same, and to prosecute any person for breach of such regulations;

(46) Dealing with and regulating the size of stacks of timber, coal and inflammable substances and the manner of stacking or storing the same, so as to protect persons and property in the neighbourhood from danger from fire or otherwise.

(47) To empower the Council to regulate or prevent the exhibition of public advertisements.

And in framing regulations the Council may prescribe the time within which any works or things required to be done shall be executed, done or completed, and may provide in case of default for the execution, doing or completion by the Council of any such work or thing at the expense of the defaulter.

194. Any rule or regulation made under this Act may impose a penalty for any breach thereof and may also impose different penalties in case of successive breaches thereof, but no penalty shall exceed twenty pounds; and any such rule or regulation may provide that in addition to any such penalty any expense incurred by the Council in consequence of the breach of any such rule or regulation and in the execution of any work directed by any such rule or regulation to be executed by any person and not executed by him shall be paid by the person committing such breach or failing to execute such work.

195. After any regulation has been passed by the Council a copy of the same shall be posted in some public place within the Municipality and a notice published in one or more newspapers published in the Municipality calling attention thereto, and three weeks after such notice shall have been advertised it shall be submitted for the approval of the Governor, and if approved, shall be published in the *Gazette* and thereupon shall have the force of law in the Municipality.

196. A copy of the *Gazette* containing any bye-law or regulation shall be evidence of the due making of such bye-law or regulation and of the contents thereof.

Miscellaneous.

197. The Council shall use all endeavours to keep the water flowing to or impounded in its reservoirs or other waterworks from being fouled or in any way rendered impure, and for this end, every person convicted upon the prosecution of the Council, of any of the following offences, shall forfeit to the use of the said Council a sum not exceeding five pounds; on failure of the payment of such fine the party convicted shall be liable to imprisonment, with or without hard labour, for any period not exceeding two calendar months;

(*a*) Every person who shall bathe or wash himself in any stream, reservoir, or other waterworks belonging to the Council, or wash, throw, or cause to enter therein any dog or other animal ;

(*b*) Every person who shall throw any rubbish, dirt, filth, or other noisome thing into any such stream, reservoir, or other waterworks, or wash or cleanse therein any cloth, wool, leather or skin of any animal, or any clothes or other thing.

(*c*) Every person who shall cause the water of any sink, sewer, or drain, or any filthy water whatever, belonging to him or under his control, to run or to be brought into any such stream, reservoir, or other waterworks, or do any act whereby the water under the charge of the Council shall be fouled or made impure ; and every such last mentioned person shall also forfeit the sum of one pound for each day, if more than one, during which the last mentioned offence shall be continued.

198. In case the Council shall require to take or use any land within the limits of the Municipality with or without the buildings, if any, erected thereon, or any frontage or stoep belonging to any premises, for the purpose of doing any act or of executing any work or undertaking authorised by this Act, or for the purpose of making or improving streets, roads, sidewalks, thoroughfares, causeways or pavements, or any other municipal purpose, or shall require to dig out and to carry away any materials, or to appropriate or to make use of any springs, streams or other supplies of water belonging respectively to any person or persons upon any lands within the limits of the Municipality, who shall not be bound by law to allow the Council so to do, then and in that case it shall be lawful for the Council, and they are hereby authorised and empowered to treat and agree with every such person or persons for the purchase, hire or use, as the case may be, of any such land, buildings, frontage, stoep, materials, springs, streams or supplies of water as aforesaid ; or for the payment of consequential damages, and generally to enter into any such contract or contracts relative to the obtaining or using of any such land, buildings, frontage, stoep, materials, springs, streams, or any other supplies of water as aforesaid, on such terms and conditions as they shall deem expedient. And if any such person or persons and the Council shall not agree upon the purchase money or hire or recompense for consequential damages to be respectively given by one party and received by the other, then the amount of compensation, hire or recompense shall be settled by arbitration. Provided always that arbitrators, acting under the provisions of sections one hundred and fifty-six, one hundred and fifty-seven, or this section, in deciding upon any amount to be paid shall take into consideration the benefit and advantage derived or to be derived by the person claiming recompense or compensation, by reason of any work or improvement done or contemplated by the Council.

199. Every medical practitioner in the Municipality shall, upon becoming aware, or being of opinion that any person attended on by him is suffering from an infectious disease, shall forthwith send a certificate to the Medical Officer of Health of the Council, or such other officer as the Council may appoint, disclosing the name and residence of the patient, and the disease he believes him to be suffering from, and for every certificate truly reporting the occurrence of an infectious disease the Council shall, after receiving the certificate, pay to the medical practitioner a fee of 2s. 6d., if the case occurs in his private practice. Any medical officer not complying with the terms of this section shall be deemed to have contravened a provision of this Act. The infectious diseases, of which notice must be given, shall include small-pox, cholera, diphtheria, membraneous croup, erysipelas, scarlatina or scarlet fever, and typhoid, typhus, enteric, relapsing, continued, yellow and puerperal fevers, and such other diseases as may at any time be declared by the Medical Council to be infectious.

200. In the case of the death of any person within the Municipality, when there has been no medical attendant who can testify as to the cause thereof, the occupier or occupiers, person or persons, responsible for the rent of the house in which the death has occurred, shall forthwith upon such death happening, report the fact to the Council and to the Resident Magistrate having jurisdiction, the latter of whom shall, should he deem it advisable, hold an inquest as to the cause of death, and in the event of his deciding so to do, he shall have the powers and be charged with the duties set forth in the Act No. 22 of 1875, known as the "Inquests Act, 1875," excepting in so far as any part thereof may conflict with the provisions of this section.

201. In all cases, where by this Act or any rule or regulation at any time in force, the Council is authorised to do any work upon any private property, the expenses to which the Council may be put in doing such work and defraying the costs of materials in connection therewith, shall be a first claim and charge upon such property, and be paid in preference to any debt, obligation or mortgage thereon by the owner thereof ; provided that the Council shall at no time take legal proceedings for the recovery of

such expenses until three months after notice has been given to the owner of the property affected, and in case of the owner not being known or to be found, until the Council can show that due diligence has been used in endeavouring to ascertain the whereabouts of the owner and that he cannot be found.

202. In any action or suit which shall or may be brought for the recovery of any penalty or sum of money due or payable by virtue of this Act, or for or in respect of any other matter or thing relating to this Act, by or against the Council, the warrant of attorney to sue or defend shall be deemed to be duly executed if issued under the common seal of the Council and signed by the Town Clerk; and all such costs, charges, and expenses as the Council shall be put to or become chargeable with by reason of bringing or defending such action or suit, or under any judgment of the Court, shall be paid out of the funds of the Council, and no Councillor shall be personally answerable or liable for the payment of the same, or any part thereof, unless such action or suit shall arise in consequence of his own wilful neglect or default.

203. Any summons or notice or any writ or other proceeding at law which any person may desire to serve or have served upon the Council may be served by being given personally to the Town Clerk or by being left at his office with one of the officers of the Council.

204. In all cases on which any matter or thing is by this Act required to be advertised or printed in one or more newspapers published in the Municipality, the Council shall from time to time appoint at least one newspaper which may be regarded as its medium for such purposes.

205. The Council shall for the purposes of this Act and its rules and regulations have power by themselves or their officers to enter at all reasonable hours into and upon any building or land for the purpose of executing any work or making any inspection authorised to be executed or made by them under this Act or the Council's rules and regulations without being liable to any legal proceedings on account thereof.

206. Every person who shall at any time obstruct the Council in any of its officers in the performance of anything which they are respectively empowered or required to do by this or any other Act or by any municipal regulation, shall be liable in each case to a penalty not exceeding five pounds.

207. Every person who shall contravene any provision of this Act or any rule or regulation in force in the Municipality, shall for every offence be liable to the penalty expressly imposed by this Act or any such rule or regulation, and if no other penalty be imposed to a penalty not exceeding ten pounds.

208. All offences committed in contravention of this Act, or of any municipal rule or regulation, may lawfully be prosecuted in the Court of the Resident Magistrate having jurisdiction and if any person shall be convicted of any such offence, and shall not pay or satisfy the amount of fine imposed on him, it shall be lawful, unless otherwise provided in this Act, for such Resident Magistrate to sentence such offender to any period of imprisonment not exceeding three months, unless such fine shall be sooner paid; and the amount of all fines, forfeitures, and penalties, when recovered, shall be paid to the Treasurer of the Council for the purposes of this Act.

209. Notwithstanding anything in a certain deed, dated 29th September, 1863, granting certain land to the Right Reverend Robert Gray, Bishop of Cape Town, as a site for a parsonage in connection with St. Paul's Church, Rondebosch, and notwithstanding anything in a certain other deed, dated 31st January, 1854, granting certain other land to the said Bishop of Cape Town, as pasture land for the minister of the said St. Paul's Church, Rondebosch, it shall be lawful for the Board of Trustees to transfer to the Council all their right and title to all lands granted as hereinbefore set forth by the said deeds of grant in such terms and conditions as may be mutually agreed upon between the said Board and the said Council: Provided that the lands so granted and so transferred shall at all times be and remain open spaces for the use of the inhabitants of the Municipality as a place of exercise and recreation under the control of the Council in accordance with bye laws and regulations framed as by this Act provided. Provided also that any sum of money paid as purchase price of such land shall be chargeable to the Council; provided further that for the purpose of determining the purchase prices of such lands, failing agreement between the parties, recourse shall be had to arbitration; provided also that any sum of money paid as purchase price of such land shall be applied by the Board of Trustees for English Church purposes within the Parish of St. Paul's, Rondebosch.

210. The Council is hereby empowered, subject to the provisions of Sec. 124 of this Act, to expropriate, purchase, and acquire buildings and land within the limits of the Municipality, other than the property of the Imperial Government, the Colonial Government or the Table Bay Harbour Board, to rebuild, alter, or remove such buildings, and on the said land, or on other land belonging to the Council to build and erect dwellings for artizans and other members of the poorer classes.

211. In calculating the amount of compensation which any person may be entitled to receive for buildings or land expropriated under the last preceding section, any arbitrator or umpire shall take into consideration the fact that such buildings or land, on account of their condition, construction or situation, or on account of any other sufficient reason, may be, or may be likely to become, liable to be pulled down, or closed against use and occupation under any Municipal Act or Bye-Law or under any Act relating to public health.

212. Notwithstanding anything in Section 4 of Act No. 25 of 1897, or in any other section of the said Act, the Council shall be entitled to pave and sewer, or to contribute to the cost of paving and sewering, any private street in existence at the promulgation of Act No. 25 of 1897, with the consent of three-fourths, or any other proportion, of the owners of property abutting on such street; providing that nothing in this section shall apply to any road or street within the Dock area.

213. Whenever any act or thing, prescribed by this Act or by Act No. 26 of 1893 to be done or performed at or before a certain date or time, shall by inadvertence or error not have been so done or performed, it shall be lawful for the Governor, if he shall see fit, to authorise the doing or performing of such act or thing at some subsequent time, and the said act or thing, when so done, shall be of the same force and validity as if done at the time prescribed as aforesaid.

214. For the purposes of any arbitration under the provisions of this Act, when the mode of arbitration is not set forth, the provisions of the "Lands and Arbitrations Clauses Act, 1882," are hereby incorporated.

215. All costs, charges, and expenses incurred in and about the promotion and passing and carrying the provisions of this Act and of the Municipal Regulations into effect, shall be paid out of the money authorised to be received by the Council under the provisions of this Act.

216. The provisions of the Acts Nos. 15 of 1894 and 25 of 1897 by this Act repealed shall *mutatis mutandis* and save in so far as they are repugnant to or inconsistent with the provisions of this Act apply to the Council and to the Municipality and be taken and read as part of this Act.

217. This Act may be cited as

SCHEDULE A.

Form of Front of Ballot Paper.

Counterfoil No.			*Vote.*
	1	BROWN (John Brown, of 21, Adderley Street, Cape Town, merchant.)	
	2	JONES (Henry Jones, of 45, St. George's Street, Cape Town, attorney.)	
	3	SMITH (Frederick Smith, of 51, Kloof Street, Cape Town, broker.)	
	4	ROBINSON (George Robinson, of 33, Strand Street, Cape Town, dealer).	

NOTE: *The Counterfoil is to have a number to correspond with that on the back of the ballot paper.*

Form of Back of Ballot Paper.

No.....

Election for Town Council of the City of Cape Town.

.....19..

Note.—The number on the ballot paper is to correspond with that on the counterfoil.

SCHEDULE B.

REPEALED LAWS.

LAWS.	SHORT TITLES OR DESCRIPTION.	EXTENT OF REPEAL.
Act No. 14 of 1895 ..	For creating a Municipal Board for Green Point and Sea Point.	So much as has not already been repealed.
Act No. 34 of 1861 ..	"Sea Point Waterworks Company Act, 1861"	The whole.
Act No. 26 of 1893 ..	"The Cape Town Municipal Act, 1893" ..	The whole.
Act No. 28 of 1893 ..	"The Green and Sea Point Water and Electric Lighting Company Act, 1893."	The whole.
Act No. 25 of 1897 ..	"Cape Town Municipal Act Amendment Act, 1897."	The whole.
Act No. 28 of 1902 ..	"Cape Town Municipal Act Amendment Act, 1902."	The whole.
Act No. 5 of 1895 ..	"Green and Sea Point Municipal Act, 1895"	The whole.
Act No. 15 of 1894 ..	"Cape Town Streets Act, 1894"	The whole.

DRAFT

BILL

TO

Abolish the Divisional Council of the Cape Division, and to provide for the requirements of Local Government in certain parts of the Fiscal Division of the Cape by the creation of a Rural Council.

BE it enacted by the Governor of the Cape of Good Hope, by and with the consent of the Legislative Council and the House of Assembly thereof, as follows:—

PRELIMINARY.

1. This Act shall take effect upon a date to be proclaimed by the Governor in the *Gazette*, and upon such date the Divisional Council of the Cape then in office shall be dissolved, and the members thereof go out of office.

2. In this Act, unless inconsistent with the context, the following terms shall bear the meaning set opposite to them respectively :—

Chairman, the Chairman for the time being of the Rural Council.
Councillor, a member of the Rural Council constituted under the provisions of this Act.
Municipality, the Unified Municipality, constitnted by Act No. of 1903.
Division, the Fiscal Division of the Cape exclusive of the area within the limits of the Unified Municipality constituted by Act No. of 1903.
Divisional Council, the Council of the Cape Division as constituted by Act 40 of 1889 and by this Act abolished.
Council, the Rural Council of The Division constituted under the provisions of this Act.
Minister, the Colonial Secretary for the time being.
Meeting, a meeting of the Rural Council.
Ratepayer, a person liable to the payment of the Road Rate, the Rural Rate, or the Sanitary Rate levied by the Council under this Act.
Voter, a person by this Act entitled to vote in the election of members of the Council.
Noxious Weed, any plant at any time proclaimed by the Governor to be a noxious weed.
Insect Pest, any form of insect life proclaimed by the Governor to be a pest.
Bush Fire, a destructive burning upon any naturally wooded or shrubby land.
Animal, any horse, gelding, mare, mule, ass, bull, ox, cow, heifer, calf, sheep, goat, pig, or ostrich.

3. The Act No. 40 of 1889, known as "The Divisional Councils Act, 1889," and the Villages Management Act of 1881, and amending Acts, together with so much of any other law as may be repugnant to or inconsistent with any of the provisions of this Act, are hereby repealed in so far as the said Acts or any of them apply to the Division or any part thereof, provided that the Council by this Act constituted shall be subject and liable to every contract, engagement, claim, debt and demand to which the Divisional Council is subject and liable at the time of the taking effect of this Act, and the said Rural Council shall likewise be invested with and entitled to all the rights, assets, benefits and claims which the Divisional Council is at the time of the taking effect of this Act vested with or entitled to ; provided further that the repeal of the said laws shall not affect anything duly done or any right acquired or liability incurred under and by virtue of the said laws before the taking effect of this Act.

ALTERATION AND BETTER DEFINITION OF BOUNDARIES OF ADJOINING DIVISIONS.

4. The provisions contained in Division II, Part II of Act No. 40 of 1889, shall *mutatis mutandis*, extend and apply to the Council and to the Division, and be taken and read as part of this Act.

5. As soon as may be after the passing of this Act, but upon a date prior to the holding of the first general election of the Councillors, the Governor, having made due enquiry, shall divide into ten Districts the Division of the Cape outside the limits of the Unified Municipality, and shall define the boundaries of such districts by Proclamation in the *Gazette*.

CONSTITUTION OF THE COUNCIL.

6. The Council shall consist of fourteen members, who shall be styled Councillors. Four members shall be elected by the Councillors of the Municipality from among their number, and one member shall be elected by the Voters in each of the ten districts into which the Division shall be subdivided. Councillors of the Municipality shall be eligible to be elected members of the Council.

FIRST ELECTION OF COUNCILLORS.

7. Upon a date to be appointed by the Governor by Notice in the *Gazette*, being a date prior to the taking effect of this Act, but subsequent to the taking effect of Act No. —— of 1903 (constituting the Municipality), the Minister shall

(*a*) call upon the Council of the Municipality to elect as members of the Rural Council four persons qualified, as in Section 11 of this Act provided, to be so elected ;

(*b*) by a notice in the *Gazette* call upon the voters in the ten respective districts of the Division to nominate a candidate for every such district respectively. For the purpose of such notice and of such nomination the provisions and the forms contained in sections 31 to 35 inclusive of Act No. 40 of 1889, shall, *mutatis mutandis*, apply.

8. Every person whose name shall appear on the Voters' Roll last settled by the Divisional Council shall be deemed and taken to be a person duly qualified to vote for members of the Council at the first election of Councillors under this Act; and at such first election every such person shall vote in the District in which is situate the property in respect of which such person is registered as a voter, and shall not vote in any other District.

9. Except as provided in sections 7 and 8 of this Act, all and singular the provisions contained in Sections 31 to 79 of Act No. 40 of 1889, as amended by Act No. 27 of 1892 and Act No. 18 of 1899 shall, *mutatis mutandis*, extend and apply to the first election of Councillors under this Act.

10. The persons declared to be elected Councillors at such first election, whether they have been elected by the Council of the Municipality or by the voters in Districts, shall be, form, and constitute the Rural Council under the provisions of this Act, shall come into office on the date proclaimed by the Governor for the taking effect of this Act, and shall go out of office on the———day of———————, 1906, prior to which lastmentioned day a new election of Councillors shall take place; and so on with triennial vacancies and triennial elections for ever.

ELECTION OF COUNCILLORS.

11. The provisions contained in Sections 31 to 79 inclusive of Act No. 40 of 1889 as amended by subsequent Acts, shall, *mutatis mutandis*, extend and apply to all such elections of Councillors under this Act after the first election aforesaid; provided that nothing herein contained shall prevent a retiring Councillor from being re-elected; and provided further that in respect of all elections of Councillors after the first election aforesaid, the dates for receiving nominations of Candidates and for taking the poll (if any) shall be as determined by the Chairman.

QUALIFICATION OF ELECTORS AND COUNCILLORS AND TAKING OF VOTERS' ROLL.

12. Except in so far as is otherwise provided for in Sections 7, 8 and 9 of this Act, the several provisions contained in Sections 17 to 27 of Act No. 40 of 1889 shall apply to the Division, to the Council, and to all Voters at all elections of Councillors, and shall be taken and read as part of this Act.

QUALIFICATION OF COUNCILLORS.

13. The provisions contained in Sections 28 to 30 inclusive of Act No. 40 of 1889 shall, *mutatis mutandis*, apply to the qualifications of persons who shall be eligible as Councillors, and shall be taken and read as part of this Act.

EXPENDITURE UPON ELECTIONS.

14. The provisions contained in Sections 80 and 81 of Act No. 40 of 1889 shall, *mutatis mutandis*, extend and apply to elections under this Act, and shall be taken and read as part of this Act.

RETIREMENT AND VACANCIES.

15. The provisions of Sections 82 to 84 inclusive of Act No. 40 of 1889 shall extend and apply to the retirement of Councillors and to vacancies in the Council, and shall be taken and read as part of this Act; provided that for the words "Civil Commissioner of the Division" in Section 83 and for the words "Civil Commissioner" in Section 84, the word "Chairman" shall in each case be substituted and read.

THE CHAIRMAN.

16. At the first meeting of Councillors held after every general election of Councillors, the Councillors present shall elect a Councillor to be Chairman, who shall forthwith enter upon his office, and continue therein for one year from the date of his election, when he shall retire and be succeeded by a Chairman duly elected for the succeeding year, unless his office be sooner vacated. And in case of such vacancy as last mentioned, a successor shall, at the meeting next but one of the Council after such vacancy, be chosen by the Councillors from amongst themselves, who shall forthwith enter upon his office and serve as Chairman for the remainder of the period for which the vacating Chairman was elected; and so on from year to year. Provided always that should a Chairman not be elected at a meeting as herein described, he may be elected at the first ordinary meeting of the Council held thereafter, or at a special meeting called for the purpose; and provided further that the retiring Chairman in any year is eligible to be re-elected Chairman.

17. The Councillor in office at the time of the election of the Chairman who shall last have held the office of Chairman in the Council at any time prior to the then elected Chairman, or failing any such Councillor still in office, such other Councillor as the Council shall elect, shall be Deputy Chairman, and shall, during the absence or illness of the Chairman, do all acts which the Chairman as such may do. The fact of the absence or illness of the Chairman shall be notified by the Secretary or his deputy to the first meeting of the Council after the illness or absence of the Chairman has happened, and be recorded in the Council's minutes. Such record shall be a sufficient authority for all acts done within the scope of this Act by the Deputy Chairman in lieu of the Chairman. If the office of the Deputy Chairman shall become vacant by reason of death or resignation, or by his ceasing to be a Councillor, the Council shall at the next ordinary meeting following the meeting at which such vacancy is reported fill the vacancy.

18. At every meeting of the Council the Chairman, if present, shall preside. If the Chairman be absent, then the Deputy Chairman shall preside. If neither the Chairman nor Deputy Chairman be present such Councillor as the members of the Council then present choose shall preside.

19. At every meeting of the Council five shall form a quorum, and the Chairman or other Councillor presiding at any meeting shall in regard to all questions that may come before such meeting have his original or deliberative vote as well as a casting or second vote.

PROCEDURE AT MEETINGS OF THE COUNCIL.

20. The provisions contained in the sections numbered 89 to 100 inclusive of Act No. 40 of 1889, with regard to the procedure at meetings of Divisional Councils, shall, *mutatis mutandis*, apply to meetings of the Council and be taken and read as part of this Act.

OFFICERS OF COUNCIL.

21. As soon as may be after the taking effect of this Act, the Council shall appoint and, subject to the approval of the Minister, may suspend or dismiss

(*a*) One or more Medical Officers of Health, who shall be duly qualified medical practitioners;

(*b*) One or more Veterinary Inspectors;

(*c*) One or more Road Inspectors, and

(*d*) One or more Sanitary Inspectors.

The Council shall also be empowered to appoint, suspend or dismiss such other officers as may from time to time be deemed expedient and as the Minister may approve. And the Council may lawfully provide for the salaries of all such Health officers, Inspectors, or other officers out of revenue provided for in that behalf under this Act. Provided that the provision contained in Sections 101, 103, 104, 105 and 106 of Act No. 40 of 1889, shall, *mutatis mutandis*, and so far as this may not be repugnant to the provisions of this Act, apply to all officers appointed by the Council under this Act.

AUDITORS, ACCOUNTS, BORROWING POWERS, ETC.

22. The provisions contained in Sections 107 to 127 inclusive of Act No. 40 of 1889 shall extend and apply to the Council and shall be taken and read as part of the Act; provided that, in all the said Sections or Sub-sections thereof, for the words "Civil Commissioner of the Division" or "Civil Commissioner," as the case may be, the word "Chairman" shall be substituted and read; and provided further that the books and accounts of the Council shall be so kept and drawn up as to show the Council's expenditure on roads separately from its expenditure for the other purposes of this Act; and such expenditure on roads shall, whenever it is referred to in this Act, be taken and construed to include all sums of money paid for the construction, maintenance and improvement of roads and bridges in accordance with the provisions of this Act, the salaries of the Road Inspector or Inspectors, and such a proportionate part of the cost of the Council's establishment, including travelling allowances to Councillors, as shall fairly be chargeable to Roads.

REMUNERATION TO COUNCILLORS, SUITS BY AND AGAINST COUNCILS, ETC.

23. The provisions of Sections 128 to 130 inclusive of Act No. 40 of 1889 shall, *mutatis mutandis*, apply to the Council and be taken and read as part of this Act.

POWERS, DUTIES AND FUNCTIONS OF THE COUNCIL.

(A) Roads.

24. In respect of all main and divisional roads in the Division, outside the limits of the Unified Municipality, the Rural Council shall have all the rights, powers and duties which are conferred and imposed on Divisional Councils by Sections 141 to 143 inclusive of Act No. 40 of 1889, and all the provisions of Sections 144 to 207 inclusive of the said Act with regard to the construction and maintenance of roads, the taking of land and material, the proclamation, taking over, closing and diverting of roads, the definition of the width of roads, the construction of bridges, the inspection by Government of main roads and bridges, contributions to the other funds in regard to roads and bridges, offences in regard to roads, public outspans and other matters, shall, *mutatis mutandis*, extend and apply to the Council, and be read and taken as part of this Act; provided that it shall and may be lawful for any Municipal Council existing at the time of the taking effect of this Act or thereafter created (and not being the Council of the Municipality), to enter into any agreement with the Council in regard to the maintenance and control by such Municipal Council of any portion or portions of any main or divisional roads which may be within the limits of any such Municipal Council's jurisdiction on such terms and for such period as may be agreed upon between such Municipal Council and the Council.

(B) Public Health.

25. Within the Division outside the limits of any Municipality.

(*a*) The provisions of the Public Health Act No. 4 of 1883 conferring certain powers and imposing certain duties on Divisional Councils shall, *mutatis mutandis*, extend and apply to the Council and shall be taken and read as part of this Act.

(*b*) The Council shall be deemed and taken to be and is hereby constituted an Urban Local Authority for all the purposes of the Public Health Amendment Act No. 23 of 1897.

In addition to the bye-laws or regulations which the Council as an urban local authority is required to make in accordance with the provisions of Section 7 of Act No. 23 of 1897, the Council shall make such bye-laws or regulations as are provided for in (*a*), (*b*), (*c*) of Sub-section 3 of Section 9 of the said Act; and with reference to such last mentioned regulations, the provisions of sections 7 and 8 of the said Act shall apply and be read and taken as part of this Act.

(C) Contagious Diseases of Animals.

26. All the powers conferred and duties imposed on Divisional Councils by any Act having reference to the existence, prevention or suppression of any disease proclaimed by the Governor to be a Contagious Disease of Animals shall be deemed to be conferred and imposed upon the Council.

27. Whenever it shall be brought to the notice of the Council, or whenever there is reasonable ground for believing that any animal in the possession, or in the care of any inhabitant of the Division is affected with contagious disease, or whenever it shall be brought to the notice of the Council that any contagious disease exists amongst any animals on any farm or land within the Division, it shall be the duty of the Council, anything in Act 27 of 1893 to the contrary notwithstanding, forthwith to take steps to obtain a report thereon by a duly qualified Veterinary Inspector, in order that all necessary measures may be adopted in accordance with bye-laws or regulations as in the next Section provided, for preventing the spread of such disease or for suppressing the same.

28. It shall be lawful for the Council, with the approval of the Governor, to frame, alter, make and enforce such bye-laws or regulations as may be necessary for preventing the introduction into the Division of any Contagious Disease of Animals or for suppressing such disease therein, and such bye-laws or regulations may provide for the isolation, inoculation, or slaughter of any infected animal.

(D) Insect Pests.

29. As often as it shall be proclaimed in the *Gazette* that any Insect Pest exists in the Division or in any part of the Colony, and that there is a danger of any such Insect Pest being introduced into the Division, it shall be lawful for the Council to frame, alter, revoke, or enforce bye-laws or regulations for preventing the introduction or for the suppression of such Insect Pest within the Division.

30. It shall be lawful for the Council, with the approval of the Minister, out of any revenue which the Council, subject to the provisions of this Act, shall be empowered to raise, to spend such sum or sums of money as may be deemed expedient for the payment of such officers or servants as may from time to time be required, or for defraying any other expenses lawfully incurred by the Council, in pursuance of any such bye-law or regulation aforesaid, for the purpose of preventing the introduction or for the suppression of any Insect Pest.

(E) Extirpation of Noxious Weeds and Plants.

31. All the provisions contained in Sections 233 to 239 inclusive of Act No. 40 of 1889 shall, *mutatis mutandis*, apply to the Council and to the Division and be read and taken as part of this Act.

32. As often as the Governor, by notice in the *Gazette*, shall proclaim any weed or plant to be a noxious or injurious weed or plant, and if the Council is of opinion that such noxious or injurious weed or plant is spreading in the Division to such an extent as to be prejudicial to the interests of the inhabitants thereof, it shall be lawful for the Council, with the approval of the Minister, out of any revenue which such Council shall, subject to the provisions of this Act, be authorised to raise, to apply such sum of money as may be deemed expedient towards defraying the cost of extirpating such noxious or injurious weed or plant.

(F) Prevention of Bush-fires.

33. It shall be lawful for the Council to frame, alter, revoke and enforce bye-laws or regulations for the prevention of destructive bush-fires, and for that purpose, with the approval of the Minister, to employ, pay or dismiss such officer or servant as may from time to time be deemed expedient.

(G) Destruction of Vermin.

34. It shall be lawful for the Council, with the approval of the Minister, to employ, pay or dismiss such officer as may be deemed expedient for the destruction of such vermin as may be proclaimed by the Governor to be by its prevalence in the Division a cause of injury to the interest of the inhabitants, provided that the Council may, with the approval of the Minister, make, alter and revoke bye-laws or regulations for the reward of persons who may destroy such vermin.

(H) Damage of Property by Stormwater.

35. It shall be lawful for the Council, with the approval of the Minister, to take such measures as may be deemed expedient for the protection of any roads, bridges, or other property, public or private, against damage by stormwater originating or flowing within the Division.

(I) Pounds, Pound Fees, Trespass, Etc.

36. All the provisions contained in the Sections 213 to 220 inclusive of Act No. 40 of 1889, and all the provisions of the Act No. 15 of 1892, known as the "Pounds and Trespasses Act, 1892," shall, *mutatis mutandis*, extend and apply to the Council and to the Division, and be read and taken as parts of this Act.

(J) Animals, Licenses to Keep Dogs, Etc.

37. All the provisions contained in Sections 221 to 232 inclusive of Act No. 40 of 1889 shall, *mutatis mutandis*, apply to the Council and to the Division, and be read and taken as part of this Act.

(K) Contracts.

38. All the provisions contained in Sections 240 to 242 inclusive of Act No. 40 of 1889 shall, *mutatis mutandis*, apply to the Council and to the Division, and be read and taken as part of this Act.

(L) Rural Interests Generally.

39. As often as it may be deemed expedient by the Governor that the Council should be empowered to undertake or to deal with any matter affecting the interests or welfare of the inhabitants of the Division, in so far as good Local Government is concerned, and as often as the Governor shall by Proclamation declare any such matter to be a matter which the Council may undertake, or may deal with, it shall be lawful for the Council to frame, alter, revoke and enforce any bye-laws or regulations in that behalf, or to proceed about such matters in such other manner as may be deemed expedient and as the Minister may approve.

RATEABLE PROPERTY. RECOVERY OF RATES.

40. The provisions contained in Sections 243, 244, and 266 to 276 inclusive of Act No. 40 of 1889, shall, *mutatis mutandis*, apply to the Council and to the rates levied by it under the provisions of this Act.

MODE OF MAKING VALUATION.

41. The provisions contained in Sections 245 to 264 inclusive of Act No. 40 of 1889, shall, *mutatis mutandis*, apply to the Council and to the Division and be read and taken as part of this Act; provided that for the purpose of levying any Road rate on property situated within the Municipalities of Kalk Bay, Simonstown, Durbanville, or within the limits of any other Municipality hereafter proclaimed, the valuation thereof last made for the Municipal Council having jurisdiction shall be taken to be the valuation on which the Council shall levy such Road rate.

MAKING OF RATES, CONTRIBUTION FROM MUNICIPALITY, ETC.

42. For the purpose of defraying all expenditure on roads (as defined in proviso to Section 22 of the Act) which shall be incurred by the Rural Council under the provisions of this Act,

(1) there shall be payable to the Rural Council by the Council of the Municipality a contribution in money equal to two-thirds of such expenditure on roads in each year, in manner following, that is to say:—In the month of January of each year the Rural Council shall frame and submit for the approval of the Minister an estimate of the probable expenditure on roads during such year, and on such approval of such estimate being communicated to the Council of the Municipality the said Council of the Municipality shall pay to the Rural Council a sum equal to one-fourth of two-thirds of such estimated expenditure, on the first day of the month, March, June, September, respectively in such year, and on the 1st day of December another such sum or such part thereof as the Rural Council may find to be then required. As soon as may be after the 31st day of December of such year the Rural Council shall deliver to the Council of the Municipality a certificate (signed by the Controller and Auditor-General) of its actual expenditure on roads during such year, and shall thereupon be entitled to receive from or repay, as the case may be, to the Council of the Municipality such sum of money as shall render the total contribution paid by the Council of the Municipality equal to two-thirds of such actual expenditure for such year; provided always that in no year shall the contribution so to be paid by the Council of the Municipality exceed the sum of £10,000; provided further that in default of the payment of any such contribution or part thereof, within three months from the due date thereof, it shall be lawful for the Rural Council to recover the same by legal process, together with interest at 5 per cent. from the date of default;

(2) it shall be lawful for the Council to levy such a rate, to be known as the Road Rate, as it may deem expedient and necessary, on the value of all rateable property within the Division outside the limits of the Unified Municipality; provided that the provisions of section 265 of the Act No. 40 of 1889 shall apply to such rate;

(3) it shall be lawful for the Council to impose a tax, to be known as a Vehicle or Wheel Tax, on all traction engines, motor cars, wagons, carriages, carts and other vehicles, drawn by horses or other animals, or drawn or propelled by steam, electricity, air, or oil or other mechanical power other than railway locomotives, and being the property of any person residing within the Division outside the limits of any Municipality; and for the purposes of this section to make, alter, revoke and enforce bye-laws or regulations.

43. For all the purposes of this Act other than expenditure on roads as defined in section 18 of this Act, the Council may levy any Rate or Rates, to be known as a Rural or Sanitary Rate or Rates, on the value of all rateable property within the Division and outside the limits of any Municipality, and such Rate or Rates shall be levied and collected in the same manner as the Road rate provided for in this Act.

BYE-LAWS OR REGULATIONS.

44. The Council shall have and exercise all the powers of making, altering and revoking bye-laws or regulations conferred on Divisional Councils by Section 279 of Act No. 40 of 1889, and all the provisions contained in Sections 280 to 288 of the said Act shall, *mutatis mutandis*, apply to such bye-laws and regulations.

45. All bye-laws and regulations lawfully made by the Council under the provisions of this Act, or of any Act by this Act made applicable to the Council, shall have the force of law within the Division outside the limits of any Municipality; provided that each and every such bye-law or regulation shall, after it has been confirmed by the Council, be submitted for the approval of the Governor, and if approved shall be published in the *Gazette*; provided further that every such bye-law or regulation may be repealed by the Governor.

MISCELLANEOUS.

46. All the provisions contained in the sections numbered 286 to 295, and in section 297 (Miscellaneous Provisions) of Act No. 40 of 1889 shall, *mutatis mutandis*, apply to the Council, and be taken and read as part of this Act.

47. All the powers, functions and duties conferred or imposed upon Divisional Councils by any of the Acts enumerated in section 296 of the Act No. 40 of 1889, or by any other law, shall, except as hereinbefore otherwise provided, be deemed to be hereby conferred and imposed upon the Rural Council.

48. This Act may be cited for all purposes as the "Rural Council Act, 1903."

LIST OF PAPERS, MAPS, RETURNS, ETC., PUT IN.

1. Bill (draft) for Unification of Municipalities.
   (Put in by Commission.) *Appendix M.*
2. Bill (draft) for Rural Council.
   (Put in by Commission.) *Appendix N.*
3. Boring for Water.—Correspondence between Health Department and Mr. H. P. Saunders.
   (Put in by Dr. Gregory.)
4. Boring for Water.—Maps of (1) Cape Town and (2) Suburbs, showing Bore-hole Localities.
   (Put in by H. P. Saunders.)
5. Boring for Water.—Reference List of Bore-holes at (1) Cape Town and Sea Point, and (2) Woodstock and other Suburbs, indicating places where Bores had been put in, together with their depth and yield of water.
   (Put in by H. P. Saunders.)
6. Boring for Water.—Report to Simonstown Council relative to Boring in the Simonstown District.
   (Put in by H. P. Saunders.)
7. Cape Colony.—Map of South-Western Portion of.
   (Put in by Chairman.)
8. Cape Division.—Census (1902) Return.
   (Put in by Statistical Registrar.)
9. Cape Division.—Map of, with respective Municipal Areas variously coloured.
   (Put in by Acting Surveyor-General.)
10. Cape Marine Suburbs.—Extent of Proprietorship.
    (Put in by R. P. L. Wahl.)
11. Cape Marine Suburbs.—Table of Statistics of Gaugings of Streams on Estate.
    (Put in by W. T. Olive.)
12. Cape Peninsula.—Letter giving further information relative to existing Water supply.
    (Put in by W. Westhofen.) *Appendix J.*
13. Cape Peninsula Local Government Problems.—Suggestions for the Cape Peninsula Commission.
    (Put in by G. Smart.)
14. Cape Peninsula.—Statistical information relative to Yield of Springs in.
    (Put in by W. T. Olive.)
15. Cape Peninsula Commission.—Copies of Government Notice constituting.
    (Put in by Secretary.)
16. Cape Town.—Agenda for Meeting of the Cape Town Council, held on the 27th February, 1902.
    (Put in by Town Clerk, Cape Town.)
17. Cape Town.—Census (1902) Return.
    (Put in by Statistical Registrar.)
18. Cape Town.—Communication from Mayor to J. Newey relative to tenour of latter's evidence before the Commission.
    (Put in by Chief Inspector of Public Works.)
19. Cape Town.—Financial position of the Council in respect of Loan Moneys at 31st March, 1902.
    (Put in by City Treasurer.)
20. Cape Town.—Financial Statistics of Municipality for Five Years 1897-1901.
    (Put in by Town Clerk, Cape Town.)
21. Cape Town.—Financial Statement of Municipal Affairs, 1897-1901. Receipts and Payments.
    (Put in by Financial Returns Sub-Committee.) *Appendix A—A* (2).
22. Cape Town.—Statement of Municipal Loans.
    (Put in by Financial Returns Sub-Committee.) *Appendix L—L* (2).

79. Maitland.—Financial Statistics of Village Management Board and Municipality for five years 1897-1901.
(Put in by Town Clerk, Maitland.)
80. Maitland.—Financial Statement of late Village Management Board Affairs, 1897-1901. Receipts and Payments.
(Put in by Financial Returns Sub-Committee.) *Appendix A—A* (4.)
81. Manchester. Report of the Rivers Committee, 22nd January, 1900.
(Put in by T. Stewart.)
82. Melbourne and Metropolitan Board of Works—Report on Water Supply and Sewage.
(Put in by Chief Inspector of Public Works).
83. Melbourne and Suburbs.—Tramway, Map of.
(Put in by W. Craig.)
84. Mowbray.—Census (1902) Return.
(Put in by Statistical Registrar.)
85. Mowbray.—Financial Statistics of Municipality for five years 1897-1901.
(Put in by Town Clerk, Mowbray.)
86. Mowbray.—Financial Statement of Municipal Affairs, 1897-1901. Receipts and Payments.
(Put in by Financial Returns Sub-Committee.) *Appendix A—A* (5).
87. Mowbray.—Statement of Municipal Loans.
(Put in by Financial Returns Sub-Committee.) *Appendix L—L* (4).
88. Mowbray.—Review of Municipal Work, Mowbray, 1901–2.
(Put in by Municipal Engineer, Mowbray.)
89. Municipal Administration. Cuttings from Newspapers on subject.
(Put in by John Young.)
90. Municipal Boundaries and System of Valuation. Letter concerning.
(Put in by J. B. Currey.)
91. Oliphant's Hoek.—Copy of Mr. Wright's Report on Scheme.
(Put in by Town Clerk, Woodstock.)
92. Oliphant's Hoek.—Form of Debenture.
(Put in by Mayor of Woodstock.)
93. Oliphant's Hoek.—Map and Gaugings.
(Put in by Town Engineer, Woodstock.)
94. Oliphant's Hoek.—Memorandum on result of inspection of Map put in by Town Engineer, Woodstock.
(Put in by T. Stewart.)
95. Oliphant's Hoek.—Particulars of Revenue and Expenditure in regard to Water Supply.
(Put in by Town Clerk, Woodstock.)
96. Oliphant's Hoek.—Report of Town Engineer, Woodstock, relative to Water Supply.
(Put in by Town Clerk, Woodstock.)
97. Palmiet Discoloration of Water.
(Put in by Professor MacOwan.) *Appendix I.*
98. Palmiet River.—Map of Catchment Area.
(Put in by St. V. W. Erskine.)
99. Plague.—Letter forwarding copy of correspondence relative to steps being taken to prevent re-introduction of into Cape Town through the port of Table Bay.
(Put in by Town Clerk, Cape Town.
100. Port Phillip.—Birdseye View of.
(Put in by W. Craig.)
101. Proclamations constituting:
125 of 1882. Maitland Village Management Board.
9 of 1883. Simonstown Municipality.
97 of 1883. Liesbeek Municipality.
98 of 1883. Woodstock Municipality.
115 of 1886. Rondebosch, Claremont, and Wynberg Municipalities.
228 of 1890. Mowbray Municipality.
97 of 1891. Kalk Bay Village Management Board.
128 of 1895 Extent of Magisterial Districts of Cape, Wynberg, and Simonstown.
186 of 1895. Kalk Bay Municipality.
2 of 1897. Woodstock Municipality. Alteration of Boundaries.
312 of 1897. Durbanville Village Management Board.
173 of 1901. Durbanville Municipality.

15 of 1902. Maitland Municipality.
(Put in by Secretary.)

102. Proclamations defining Boundaries of:
153 of 1880. Field-Cornetcies of Simonstown Division.
265 of 1890. Field-Cornetcies of Cape Division.
(Put in by Secretary.)

103. Public Health Amendment Act, 1897.
(Put in by Secretary.)

104. Public Wash-houses and Laundries in Municipal Areas. Correspondence relative to.
(Put in by Under Colonial Secretary.)

105. Pyrojim Syndicate. Conversion of House and Trade Refuse into Fuel.
(Put in by J. Churchman.)

106. Railway Department. Discharge of Sewage into Table Bay. Letter strongly objecting to.
(Put in by General Manager of Railways.)

107. Railway Water Supply. Letter relative to Offer made by Town Council of Cape Town.
(Put in by General Manager of Railways.)

108. Railway Water Supply. Three Returns.
(Put in by General Manager of Railways.)

109. Rainfall Records. Letter supplementing Statistical information given in evidence.
(Put in by Secretary of the Meteorological Commission.) *Appendix H.*

110. Rainfall Statistics. Table showing Comparative Rainfall on Table Mountain and at other points in the Cape Peninsula during the years 1882-1901; and Rainfall at Maclear's Beacon and Dam Gauge on Table Mountain for each month during the years 1894-1901 inclusive.
(Put in by T. Stewart.)

111. Reports of Select Committees upon:
Cape Town and Green Point Water Supply Bill, 1859.
Cape Town and Wynberg Water Supply Bill, 1887.
Cape Town Municipal Bill, 1859.
Cape Town Municipal Bill, 1879.
Cape Town Municipal Bill, 1881.
Cape Town Municipal Acts Amendment Bill, 1882.
Cape Town Municipal Acts Amendment Bill, 1885.
Cape Town Municipal Acts Amendment Bill, 1890.
Cape Town Municipal Acts Amendment Bill, 1892.
Cape Town Municipal Bill, 1893.
Claremont and Woodstock Water Supply Bill, 1898.
Liesbeek Municipal Water Supply Bill, 1886.
Sanitary State of Cape Town, 1857.
Suburban Municipalities, 1892.
Woodstock Water Supply Bill. Two Reports. 1889.
(Put in by Chairman.)

112. Reports of Select Committees upon:
Caledon Street Tramways Bill, June, 1895.
Cape Town Metropolitan Tramways Bill, June, 1895.
Cape Town Southern Suburbs Tramways Bill, June, 1895.
Green Point Tramway Bill, June, 1895.
Port Elizabeth Tramways Bill, June, 1895.
Rondebosch Church Lands, 1896.
Southern Suburbs Tramway Amendment Bill, May, 1897.
Camps Bay Tramway Bill, September, 1899.
(Put in by Chairman.)

113. Researches into the Bacterial Purification of Sewage.
(Put in by Cochrane and Cherry.)

114. Retreat.—Inferior and Unsanitary Buildings erected at. Letter intimating.
(Put in by Under Colonial Secretary.)

115. Rondebosch.—Agreement between Municipality and Electrical Engineers.
(Put in by Town Clerk, Rondebosch.)

116. Rondebosch.—Census (1902) Return.
(Put in by Statistical Registrar.)

117. Rondebosch.—Financial Statistics of Municipality for five years 1897-1901.
(Put in by Town Clerk, Rondebosch.)

118. Rondebosch.—Financial Statement of Municipal Affairs, 1897-1001.
Receipts and Payments.
(*a*) From Statistics first rendered.
(*b*) From Statistics as subsequently rendered.
(Put in by Financial Returns Sub-Committee.) *Appendix A—A* (6), *A* (7).

119. Rondebosch.— Statement of Muncipal Loans.
(Put in by Financial Returns Sub-Committee.) *Appendix L—L* (5.)

120. Sewage Purification.—Report on Bacterial Method by Dr. George Turner.
(Put in by Dr. Gregory.)

121. Sewage Treatment.—Pamphlet upon.
(Put in by George Kilgour.)

122. Sewage Treatment and Disposal.—Interim Report of the Royal Commission appointed in 1898 to enquire and report what methods may properly be adopted.
(Put in by Dr. Gregory.)

123. Sewage of Cape Town and the disposal of its Sewage.
Report by C. Dunscombe.
(Put in by Chairman.)

124. Sewerage of the Suburbs of the City of Cape Town and the disposal of their Sewage.—Report by C Dunscombe.
(Put in by Chairman.)

125. Sewerage and Sewage disposal of the City of Cape Town.—Three Plans by C. Dunscombe.
(Put in by Chairman.)

126. Sewerage and Sewage disposal of Green and Sea Point.—Plan by C. Dunscombe.
(Put in by Chairman.)

127. Sewerage and Sewage disposal of Southern Suburbs of Cape Peninsula.—Plan by C. Dunscombe.
(Put in by Chairman.)

128. Simonstown.—Census (1902) Return.
(Put in by Statistical Registrar.)

129. Simonstown.—Correspondence relative to Water Supply and Drainage.
(Put in by Rear-Admiral Moore.)

130. Simonstown.—Financial Statistics of Municipality for five years, 1897-1901.
(Put in by Town Clerk, Simonstown.)

131. Simonstown.—Financial Statement of Municipal Affairs, 1897-1901.
Receipts and Payments.
(Put in by Financial Returns Sub-Committee.) *Appendix A—A* (11).

132. Simonstown. —Statement of Municipal Loans.
(Put in by Financial Returns Sub-Committee.) *Appendix L—L* (9).

133. Simonstown.—Letter enclosing copy of Resolution passed by Town Council in connection with proposal that Municipalities should take over Maintenance of Divisional and Main Roads within their respective areas.
(Put in by Town Clerk, Simonstown.)

134. Simonstown.—Mayor's Minute for the year 1901.
(Put in by Town Clerk, Simonstown.)

135. Simonstown Reservoir.—Government Report relative to.
(Put in by W. Westhofen). *Appendix G.*

136. Slaughter Houses at Maitland and Yzerplaat. Letter covering Report by Health Officer.
(Put in by Town Clerk, Cape Town.)

137. Slaughter Houses.—Regulations proposed to be proclaimed in force within the limits of the Cape Division outside the areas controlled by any Municipality.
(Put in by Medical Officer of Health for the Colony.)

138. Southern Suburbs Drainage Board. Report on a Water Supply, made by Mr. W. T. Olive on 23rd March, 1897.
(Put in by Hon. Colonial Secretary.)

139. Steenbras River.
Drawing No. 1.—Key Plan and Longitudinal Section.
Drawing No. 2.—Plan of Storage Reservoir.
Drawing No. 3.—Plan and Section of Dam.
Drawing No. 4.—Outline Plan of Catchment Area, showing Relation of Reservoir to Farm Boundaries.
(Put in by Mayor of Mowbray.)

140. Steenbras River Farm.—Memorandum supplementing information relative to extent of.
(Put in by Town Clerk, Rondebosch.)
141. Steenbras River. Letter giving information with regard to locality.
(Put in by W. Spilhaus.)
142. Steenbras River.—Plan of, showing Crown Lands, Kogel Bay Farms, and Stanford's Farm.
(Put in by Mayor of Mowbray.)
143. Steenbras River.—Report on by Mr. Moore Wilson.
(Put in by Town Clerk, Rondebosch.)
144. Steenbras River Water Supply Scheme. Report on by Mr. Thos. Stewart.
(Put in by Mayor of Mowbray.) *Appendix C.*
145. Suburban Drainage Board.—Draft of Bill providing for the creation of.
(Put in by H. Beard.)
146. Suburban Municipal Waterworks.—Certain Arbitration Papers, 1899.
(Put in by E. H Heath.)
147. Suburban Municipal Waterworks.—Attorney's Opinion upon Proprietorship of Mains used to supply Water to the four Municipalities concerned.
(Put in by Secretary of Suburban Municipal Waterworks.)
148. Suburban Municipal Waterworks.—Copy of Municipal Guarantee to Standard Bank for sum of £300,000.
(Put in by Secretary of Suburban Municipal Waterworks.)
149. Suburban Municipal Waterworks.—Counsel's Opinion on withdrawal of Municipalities from joint arrangement.
(Put in by Secretary of Suburban Municipal Waterworks.)
150. Suburban Municipal Waterworks.—Gauging of the Albion Spring.
(Put in by Secretary of Suburban Municipal Waterworks.)
151. Suburban Municipal Waterworks.—List of Members of Joint Committee.
(Put in by Secretary to Joint Committee.)
152. Suburban Municipal Waterworks.—Report on Springs belonging to the Cape Town District Waterworks Company for the years 1893-1899.
(Put in by Mayor of Woodstock.)
153. Suburban Municipal Waterworks.—Resolution of Committee of Management relative to the personnel of the Commission.
(Put in by Secretary of Suburban Municipal Waterworks.)
154. Suburban Municipal Waterworks Returns for years 1893-94, 1894, 1895, 1895-96, and 1899. Maximum and Minimum Gaugings.
(Put in by E. H. Heath.)
155. Suburban Municipal Waterworks. Statistical Information called for by Commission.
(Put in by Secretary of Suburban Municipal Waterworks.)
156. Summary of Statements of Municipal Loans Raised, Repaid, and Outstanding on the 31st December, 1901.
(Put in by Financial Returns Sub-Committee.) *Appendix L—L* (10).
157. Summary of Statements of Ordinary Revenue and Expenditure rendered by the Cape Peninsula Municipalities and Cape Divisional Council, 1897–1901, and Suburban Municipal Waterworks 1900–1901.
(Put in by Financial Returns Sub-Committee.) *Appendix A.—A* (13.)
158. Summary of Statements of Ordinary Revenue and Expenditure (exclusive of Water Supply and Electric Lighting) rendered by the Cape Peninsula Municipalities for the year 1901.
(Put in by Financial Returns Sub-Committee.) *Appendix A.—A* (14.)
159. Surveys of Sources of Water Supply.—Details of Cost involved and Time required to undertake Surveys of the Orange Kloof, Constantia, and Muizenburg Mountain Plateaus, the Palmiet River, and the Twenty-Four Rivers localities as possible sources of Water supply for the Cape Peninsula.
(Put in by Chief Inspector of Public Works.)
160. Surveys of Sources of Water Supply.—Two Reports upon Public Works Department proposals.
(Put in by T. Stewart.)
161. Surveys of Sources of Water Supply, Orange Kloof, Palmiet River, Oliphant's Hoek, and Twenty-Four Rivers localities.—Government not prepared to defray proposed outlay.
(Put in by Under Colonial Secretary.) *Appendix K.*
162. Sydney.—Birdseye View of Harbour.
(Put in by W. Craig.)

163. Sydney.—Extract from *Sydney Morning Herald*, entitled "The Greater Sydney Movement."
(Put in by H. V. O'Meagher.)
164. Sydney.—Map of, with Suburbs.
(Put in by W. Craig.)
165. Sydney.—Report on the Interception and Disposal of the Drainage of, June, 1877.
(Put in by W. Craig.)
166. Sydney.—Report upon Public Abattoirs, September, 1900.
(Put in by W. Craig.)
167. Sydney.—Twelfth Report of the Board of Water Supply and Sewerage, June, 1900.
(Put in by W. Craig.)
168. Table Bay Currents.—Letter relative to.
(Put in by Town Clerk, Cape Town.)
169. Table Mountain.—Letter relative to area under Cape Town Municipal control.
(Put in by Town Engineer, Cape Town.)
170. Table Mountain.—Map of.
(Put in by Acting Surveyor-General.)
171. Table Mountain.—Rainfall Statistics.
(Put in by Secretary of Meteorological Commission.) *Appendix H.*
172. Table Mountain.—Report upon Reservoirs, with Appendices showing yearly Rainfall on Mountain.
(Put in by T. Stewart.)
173. Table Mountain.—Rough Sketch of Summit, showing rain-gauge localities.
(Put in by Secretary of Meteorological Commission.) *Appendix H.*
174. Table Mountain Survey for Water Supply purposes. Hydraulic Engineer's Plan, 1891.
(Put in by Chairman.)
175. Table Mountain Water. Two Analyses of.
(Put in by Town Clerk, Cape Town.)
176. Twenty-Four Rivers. Letter giving further information relative to as source of Water Supply.
(Put in by W. Westhofen.) *Appendix J.*
177. Twenty-Four Rivers. Letter relative to variance between evidence of W. Westhofen and R. Bromley as to value of as source of Water Supply for Cape Peninsula.
(Put in by Chief Inspector of Public Works.)
178. Twenty-Four Rivers. Map of.
(Put in by Acting Surveyor-General.)
179. Twenty-Four Rivers. Mr. T. Bain's Report on as source of Water Supply for Cape Peninsula.
(Put in by Chairman.)
180. *Ulva Latissima* as a Foreshore Nuisance. Pamphlet on.
(Put in by H. H. Greenhill.)
181. *Ulva Latissima* as a Foreshore Nuisance. Report on.
(Put in by Professor MacOwan). *Appendix I.*
182. *Ulva Latissima* as a Foreshore Nuisance. Report on.
(Put in by Professor Gilchrist). *Appendix I.*
183. Valuations of Property. Correspondence relative to.
(Put in by Capt. C. H. Jackson.)
184. Voters' List for Cape Division.
(Put in by Secretary of Divisional Council.)
185. Wimmer's Hoek River, Map of.
(Put in by Acting Surveyor-General.)
186. Witte River, Map of.
(Put in by Acting Surveyor-General.)
187. Woodstock.—Census (1902) Return.
(Put in by Statistical Registrar.)
188. Woodstock.—Financial Statistics of Municipality for five years (1897-1901).
(Put in by Town Clerk, Woodstock.)
189. Woodstock.—Financial Statement of Municipal Affairs (1897-1901). Receipts and Payments.
(Put in by Financial Returns Sub-Committee.) *Appendix A—A* (3.)
190. Woodstock.—Statement of Municipal Loans.
(Put in by Financial Returns Sub-Committee.) *Appendix L—L* (3.)
191. Woodstock.—History of addition of portion of Maitland to Woodstock area, forming Woodstock No. 1 and Woodstock No. 2.
(Put in by Town Clerk, Woodstock.)

192. Woodstock.—Letter expressing surprise of Council at excessive estimate given by Mr. Thos. Stewart before the Commission in regard to cost of scheme for Cape Peninsula Water Supply.
(Put in by Town Clerk, Woodstock.)
193. Woodstock.—Letter relative to evidence given by Dr. Stoney as affecting the Plague administration of Woodstock.
(Put in by Town Clerk, Woodstock.)
194. Woodstock.—Precis of Correspondence with other Municipalities on proposed Drainage scheme.
(Put in by Town Clerk, Woodstock.)
195. Woodstock.—Valuation of Property in Woodstock No. 1 and Woodstock No. 2.
(Put in by Town Clerk, Woodstock.)
196. Woodstock.—Water Supply Return.
(Put in by Town Clerk, Woodstock.)
197. Wynberg.—Authority to Public Works Department Officers to survey Orange Kloof Watershed.
(Put in by Town Clerk, Wynberg.)
198. Wynberg.—Census (1902) Return.
(Put in by Statistical Registrar.)
199. Wynberg.—Counsel's Opinion given to Municipality *re* Valuations.
(Put in by Town Clerk, Wynberg.)
200. Wynberg.—Financial Statistics of Municipality for five years 1897-1901.
(Put in by Town Clerk, Wynberg.)
201. Wynberg.—Financial Statement of Municipal Affairs, 1897-1901. Receipts and Payments.
(Put in by Financial Returns Sub-Committee.) *Appendix A—A* (9.)
202. Wynberg.—Statement of Municipal Loans.
(Put in by Financial Returns Sub Committee.) *Appendix L—L* (7.)
203. Wynberg.—Letter from Government relative to Sewerage Plans.
(Put in by Town Clerk, Wynberg.)
204. Wynberg.—Letter from Council suggesting desirability of compulsory payments of Municipal rates on properties before transfer.
(Put in by Town Clerk, Wynberg.)
205. Wynberg.—Memoranda supplementing evidence given by Mr. Vollmer.
(Put in by Town Clerk, Wynberg.)
206. Wynberg.—Military and Railway Department. Charge to for water.
(Put in by Town Clerk, Wynberg)
207. Wynberg.—Number of Water Meters in Use.
(Put in by Town Clerk, Wynberg.)
208. Wynberg.—Return of Houses unconnected with Water.
(Put in by Town Clerk, Wynberg.)
209. Wynberg.—Valuation Court Powers. Counsel's Opinion.
(Put in by Town Clerk, Wynberg.)

CAPE PENINSULA COMMISSION.

MINUTES OF PROCEEDINGS.

First Meeting held in No. 19 Committee Room, House of Assembly, on Monday, the 17th March, at 10·15 a.m.

Present:

Sir W. Bisset Berry (Chairman).

Dr. Gregory.	Mr. Lawrence.
„ Anderson.	„ Stewart.
Mr. Gurney.	

The Chairman informed the Members of the Commission that, although they had not yet received their formal Commissions, he had been empowered by the Colonial Secretary to convene a meeting at as early a date as he deemed advisable

The Secretary than read Government Notice No. 190, dated 13th March, 1902, naming the members of the Commission and detailing the nature of the duties entrusted to it.

The Commission deliberated.

Resolved,—That the Commission meet daily except Saturdays, at 10 in the morning, unless at any Meeting some other arrangement in respect to the day or hour of Meeting be made.

Resolved,—That a notice be inserted in the local daily papers intimating that the Commission had commenced its sittings and inviting all Public Bodies in the Cape Division to submit evidence on the points enumerated in Government Notice No. 190, and requesting such Public Bodies to communicate to the Secretary of the Commission the names of witnesses and the subjects on which they would be prepared to give evidence.

Resolved,—That the general public be similarly notified by advertisement in the press.

Resolved,—That the evidence of each witness on all subjects be exhausted as far as possible when he appears, but that such evidence be divided into sections according to the subjects dealt with.

Resolved,—That the Secretary write to all the Municipalities in the Cape Division with the exception of Cape Town asking them to furnish, as soon as possible, for the information of the Commission:—

(*a*) Statement of receipts and payments for the five years ended 31st December, 1901, framed under Sections 96 and 97 of Act 45 of 1882.

(*b*) Statement framed under Section 99 of the said Act showing the financial position of the Municipality as on the 31st December, 1901.

(*c*) Separate accounts under Section 153 of the said Act for each loan incurred and its expenditure as on the 31st December, 1901.

The following Notices of Motion were given:—

Notices of Motion.

Mr. Stewart.

That a Circular be addressed to each Municipality calling for particulars regarding the areas of the various Municipalities and their boundaries; the areas already built upon; the additional areas which may be built upon hereafter; the number of houses within the limits of each Municipality; the population within each Municipality (suggesting that a rough census be taken); and the length of streets within each Municipality:—(*a*) Under control of Municipality, (*b*) Under control of Divisional Council, (*c*) Still under private control.

Dr. Gregory.

That the Government be requested to obtain through the Police or other means for the information of the Commission a rough census of the inhabitants of the Cape Peninsula recording the following particulars:—(*a*) name, (*b*) sex, (*c*) race, (*d*) age, (*e*) residence, (*f*) area.

The Chairman laid upon the table the following Reports and Papers :—

Report upon the Sanitary state of Cape Town, June .. 1857
Report upon the Woodstock Water Supply Bill 1889
Second Report upon the Woodstock Water Supply Bill .. 1889
Report upon the Liesbeek Municipal Water Supply Bill .. 1886
Report upon the Cape Town Municipal Bill.. 1859
Do. do. do. 1879
Do. do. do. 1881
Do. do. Municipal Acts Amendment Bill .. 1882
Do. do. do. do. .. 1885
Do. do. do. do. .. 1890
Do. do. do. do. .. 1892
Report upon the Cape Town Municipal Bill.. 1893
Report upon the Cape Town and Green Point Water Supply Bill 1859
Report upon the Cape Town and Wynberg Water Supply Bill 1887
Report upon the Claremont and Woodstock Water Supply Bill 1898
Report of Mr. C. Dunscombe, M.A., M.I.C.E., upon the sewerage of Cape Town and the disposal of its sewage 1891
Report of Mr. C. Dunscombe, M.A., M.I.C.E., upon the sewerage of the suburbs of the City of Cape Town, and the disposal of their sewage 1891

The Secretary laid upon the table the following papers, received from the Town Clerk of the Cape Town Municipality :—

Mayors' Minutes for the years 1894 to 1901 inclusive.

Copy of Agenda for a Meeting of the Cape Town Council held on 27th February, 1902.

The Secretary also laid upon the table copies of the Public Health Amendment Act, 1897.

Mr. Stewart asked that the last report of the Royal Commission on the London Water Supply, 1899, and the report of the Royal Commission on Sewage disposal be procured for reference.

Resolved,—That if such reports were not procurable locally, they should be obtained from London.

Resolved,—That the Secretary address a communication to the Honourable the Colonial Secretary pointing out that "Durbanville" was not included in the list of Municipalities named in the notice appointing the Commission.

The Commission adjourned until Thursday, the 20th March, at 10 a.m.

SECOND MEETING.

Thursday, 20th March, 1902, 10 *a.m.*

PRESENT :

Sir W. BISSET BERRY, (Chairman.)

Dr. GREGORY.	Dr. ANDERSON.
Mr. GURNEY.	Mr. LAWRENCE.
„ STEWART.	„ DE VILLIERS.

The Minutes of the previous meeting were read and confirmed.

Certain correspondence relative to the constitution of the Commission handed to the Commission by the Colonial Secretary was read and ordered to be recorded.

Letters from Mr. E. H. Heath and Mr. H. V. O'Meagher offering their services to the Commission were read and ordered to be recorded.

Letter from the Secretary of the Suburban Municipal Waterworks, Rondebosch, forwarding a resolution of the Committee of Management to the effect that the Committee was of opinion that no officer or person in any way connected with any Municipality in the Peninsula should be on the Commission, was read.

The Secretary was instructed to inform the writer that the Government was responsible for the constitution of the Commission.

Resolved,—that the press do publish no correspondence produced at meetings of the Commission unless such correspondence be handed to reporters for their use by the Secretary.

Returns of Revenue and Expenditure from the Municipalities of Green and Sea Point and Mowbray were laid upon the table, as also was a Return from the Cape Divisional Council enclosing a statement of General Valuations and of boundaries of Field-cornetcies.

The Secretary laid upon the table copies of the following Acts and Proclamations constituting the undermentioned Village Management Boards and Municipalities:

Act 14 of 1859, Green and Sea Point Municipality.
Proclamation 125 of 1882, Maitland Village Management Board.
Proclamation 97 of 1883, Liesbeek Municipality.
(Diep River to Mowbray inclusive.)
Proclamation 98 of 1883, Woodstock Municipality.
Proclamation 115 of 1886, Rondebosch, Claremont and Wynberg Municipalities.
Proclamation 228 of 1890, Mowbray Municipality.
Proclamation 97 of 1891, Kalk Bay Village Management Board.
Proclamation 186 of 1895, Kalk Bay Municipality.
Proclamation 2 of 1897, Woodstock Municipality.
(Alteration of Boundaries.)
Proclamation 312 of 1897, Durbanville Village Management Board.
Proclamation 173 of 1901, Durbanville Municipality.
Proclamation 15 of 1902, Maitland Municipality.

The Secretary also laid upon the table copies of the following Proclamations defining the Boundaries of the several Field-cornetcies in the undermentioned Divisions:

Proclamation 153 of 1880, Simonstown.
Proclamation 265 of 1890, Cape.

The Chairman read a copy of instructions received from the Colonial Secretary for the guidance of the Commission.

The Commission deliberated.

Mr. Stewart proposed and Dr. Anderson seconded:—

"That all evidence tendered to the Commission shall be given in public."

Carried by majority of 4 votes to 3.

Mr. Gurney thereupon gave the following Notice of Motion:—

"That, while desirous as far as possible that the evidence given to this Commission shall be given in public, the Motion passed on the 20th instant be rescinded, in order to leave the Commission at liberty to deal with any special case, should such hereafter arise."

Mr. De Villiers gave the following Notice of Motion:—

"That public bodies may at the discretion of the Commission be represented by Counsel."

Mr. Stewart moved, in accordance with Notice given at the previous meeting:—

"That a Circular be addressed to each Municipality calling for particulars regarding the areas of the various Municipalities and their boundaries; the areas built upon and in process of being built upon; the additional areas which may be built upon hereafter; the number of houses within the limits of each Municipality; the population within each Municipality (suggesting that a rough census be taken); and the length of streets within each Municipality:—(*a*) under control of Municipality, (*b*) under control of Divisional Council, (*c*) still under private control."

Mr. Lawrence seconded the motion.

Dr. Gregory withdrew the Notice of Motion given at the previous meeting by him, and moved as an amendment to the above motion that all the words after "Municipality" on line 5 be omitted, and the following added to the motion:—

"That the Government be requested to obtain through the Police or other means for the information of the Commission a rough census of the inhabitants of the Cape Peninsula, recording the following particulars:—

(*a*) Name,
(*b*) Residence or address,
(*c*) Sex,
(*d*) Race,
(*e*) Adult or child."

Seconded by Mr. Gurney and carried.

Mr. Stewart proposed that a Sub-Committee be appointed to draft a statement of items of information required to be procured from public bodies.

Seconded by Mr. Gurney and carried.

Resolved,—That such Sub-Committee consist of Dr. Gregory and Mr. Gurney.

Resolved,—That the Acting Surveyor-General's evidence be taken at 11·15 a.m. on Monday, the 24th March.

The Commission adjourned until 11 o'clock on Friday, the 21st March.

THIRD MEETING.

Friday, 21*st March*, 1902, 11 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, LAWRENCE.
Mr. DE VILLIERS.	,, STEWART.

The Minutes of the previous meeting were read and confirmed.

Statistical Returns from several Municipalities, received from the Registrar of Statistics for the Colony, were handed in.

Returns of Revenue, Expenditure, &c., received from the Woodstock Municipality and the Suburban Municipal Waterworks, Rondebosch, were also placed upon the table.

Letter from Mr. J. Churchman, on behalf of the Pyrojim Syndicate of London, relative to the conversion of House and Trade Refuse into fuel, was read and ordered to be recorded.

Mr. Gurney asked permission to abandon the Notice of Motion given by him at the previous meeting, and to substitute the following proviso to the resolution then carried :—

"Provided, however, that the Commission may, on motion made by any member, resolve either to deliberate or to take evidence in any special case *in camera*."

Carried by 4 votes to 2.

Mr. De Villiers proposed :—

"That Public Bodies may, at the discretion of the Commission, be represented by Counsel."

Seconded by Mr. Lawrence.

Resolved,—That this matter stand over for further discussion.

Mr. Stewart brought up the Report of the Sub-Committee appointed to consider the points upon which evidence should be elicited from Public Bodies, and moved that the Report of the Sub-Committee be adopted.

Dr. Gregory seconded the motion, which was carried unanimously.

The Commission deliberated.

Resolved,—That copies of all Returns from Local Authorities and other bodies, asked for by the Commission, be made and supplied to Members as soon as practicable after receipt by the Secretary; and that as soon as the Returns were complete an abstract in tabular form be made for the use of members.

Resolved,—That application be made to the Minister for a sum of money to be placed in the Standard Bank for the purposes of the Commission.

Resolved,—That members be furnished the day before a meeting with a precis of the evidence to be given by witnesses at such meeting.

The Commission adjourned until Monday, the 24th March, at 11 a.m.

FOURTH MEETING.

Monday, 24*th March*, 1902, 11 *a.m.*

Held in No. 18 Committee Room.

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, STEWART.
Mr. DE VILLIERS.	,, LAWRENCE.

The Minutes of the previous meeting were read and confirmed.

Letter read from Mr. J. Hanau of Wynberg, offering to give evidence before the Commission.

Resolved,—To thank Mr. Hanau for his offer, which the Commission would be pleased to avail itself of later on.

Letter read from the Ratepayers' Association of Observatory, Mowbray and Rosebank, stating that Mr. Hartley had been deputed to give evidence on behalf of the Association before the Commission.

Resolved,—To ask Mr. Hartley to hand in a written statement of his views if convenient, and to take his verbal evidence if practicable after his return from Europe.

Rondebosch Municipality Returns from the Registrar of Statistics were laid upon the table.

Letter from the Under Colonial Secretary, intimating that a sum of money would be placed at the disposal of the Commission by the Prime Minister's Department, read and ordered to be recorded.

Captain Jurisch, Acting Surveyor-General, appeared and gave evidence.

Resolved that the Commission adjourn until Thursday, the 10th April, at 11 a.m.

FIFTH MEETING.

Thursday, 10th April, 1902, 11 a.m.

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
,, ANDERSON.	,, GURNEY.
Mr. DE VILLIERS.	,, DYER.

The Minutes of the previous meeting were read and confirmed.

The Secretary laid on the table the Maitland Municipal Return called for by the Commission.

Reply from the Under Colonial Secretary, intimating that the Municipality of Durbanville was not included in the scope of the Commission's enquiry, read and ordered to be recorded.

Correspondence with the Colonial Secretary's Office, making necessary arrangements for the expeditious printing of the evidence given before the Commission, was read and ordered to be recorded

Correspondence received from the Under Colonial Secretary, relative to inferior and unsanitary buildings erected at Retreat and vicinity, was read, and ordered to be laid upon the table for future consideration.

Letter from the Rear-Admiral and Commander-in-Chief of the Naval Forces, Simonstown, in reply to an enquiry whether he would be prepared to give evidence before the Commission in regard to Municipal affairs at Simonstown in so far as they affected His Majesty's Naval forces thereat, was read and ordered to be laid upon the table for future consideration.

Letter from Messieurs Silberbauer, Wahl & Fuller, relative to the wish of the Cape Marine Suburbs, Limited, to be represented before the Commission with regard to the question of how Camps Bay is to be dealt with, was read and left open for future consideration.

An application from the Mowbray Municipality, asking for some special allowance for extra work in making out returns for the Commission, was read.

Resolved,—To inform the Municipality that in the opinion of the Commission no such claim could be entertained, as the work being performed by the Commission was in the interests of the Municipalities generally.

Mr. Gurney handed in a return showing the financial transactions of the Cape Divisional Council during the last five years, audited by the Controller and Auditor-General.

Returns from Green and Sea Point, Mowbray and Maitland Municipalities were laid upon the table.

Resolved,—That a Sub-Committee, consisting of Dr. Gregory and the mover, be appointed to prepare abstracts or decide upon what returns shall be multigraphed for the use of members of the Commission.

Resolved,—That the Sub-Committee be authorised to engage such clerical assistance as may be necessary for the preparation of abstracts and for the multigraphing of returns.

Captain Jurisch, Acting Surveyor-General, appeared at 11·30 a.m., and gave further evidence.

Mr. R. W. Hammersley-Heenan, General Manager of the Table Bay Harbour Board, appeared at 11·50 a.m., and gave evidence.

SIXTH MEETING.

Friday, 11*th April*, 1902, 10·15 *a.m.*

PRESENT :

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
,, ANDERSON.	,, GURNEY.
Mr. DE VILLIERS.	,, DYER.

The Minutes of the previous meeting were read and confirmed.

An application from the Wynberg Municipality for the payment of cost of clerical assistance engaged to make out the returns required by the Commission was read.

Resolved,—To reply in terms of the decision arrived at at the previous meeting.

Mr. Advocate De Villiers proposed :—

" That public bodies may, at the discretion of the Commission, be represented by counsel, being Advocates of the Supreme Court or Parliamentary Agents; that such counsel may examine and cross-examine witnesses through and by leave of the Chairman; and that such counsel may address the Commission on such points as the Commission may think desirable."

Seconded by Mr. Dyer, and carried.

Resolved,—That a copy of the resolution be sent to Messieurs Silberbauer, Wahl and Fuller in reply to their letter of the 9th instant; and also that copies of the same be furnished to the Press for the information of the general public.

Messrs. Samuel Tonkin (Mayor), Andrew Barnett Reid and George William Tearnan, representatives of the Mowbray Municipality, appeared and gave evidence at 11 a.m.

The Commission adjourned at 1 p.m.

SEVENTH MEETING.

Monday, 14*th April*, 1902, 10·15 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
,, ANDERSON.	,, GURNEY.
Mr. DE VILLIERS.	,, DYER.

The Minutes of the previous meeting were read and confirmed.

The Secretary laid upon the table the Woodstock, Kalk Bay and Claremont Municipal Returns, which had been called for by the Commission.

Resolved,—That abstracts of Municipal Returns as soon as prepared be printed for the use of members of the Commission.

The examination of the representatives of the Mowbray Municipality, Messrs. S. Tonkin (Mayor) A. B. Reid and G. W. Tearnan, was resumed at 10·20 a.m.

EIGHTH MEETING.

Tuesday, 15*th April*, 1902, 10·30 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
,, ANDERSON.	,, GURNEY.
Mr. DE VILLIERS.	,, DYER.

The Minutes of the previous meeting were read and confirmed.

Dr. Gregory laid upon the table three copies each of two Reports, the one being an interim Report of the Royal Commission appointed in 1898 to enquire and report what methods of treating and disposing of sewage might properly be adopted; and the other being a Report on the bacterial method of sewage purification by Dr. George Turner, late Medical Officer of Health for the Cape Colony.

Resolved,—That the Woodstock Council be requested to render an amended Return of Revenue and Expenditure for 1901, computed on a cash basis in the same manner as the returns for the previous four years.

Mr. T. J. A. Louw (Chairman) and Mr. H. H. Rouse (Secretary), representing the Suburban Municipal Waterworks, then appeared and gave evidence at 11 a.m.

NINTH MEETING.

Wednesday, 16th April, 1902, 10·15 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, DYER.
Mr. DE VILLIERS.	,, LAWRENCE.
,, STEWART.	

The Minutes of the previous Meeting were read and confirmed.

The Secretary laid upon the table printed abstracts of the financial transactions of the Mowbray Municipality during the last five years.

The examination of the representatives of the Mowbray Municipality, Messrs. S. Tonkin (Mayor), A. B. Reid and G. W. Tearnan was resumed at 10·20 a.m.

TENTH MEETING.

Thursday, 17th April, 1902, 10·15 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
,, ANDERSON.	,, DYER.
Mr. DE VILLIERS.	,, LAWRENCE.
,, GURNEY.	

The Minutes of the previous meeting were read and confirmed.

The Secretary laid upon the table printed abstracts of the financial transactions of the Cape Divisional Council during the last five years.

Letter from the Town Clerk, Cape Town, covering a report from the Health Officer relative to an inspection of certain slaughter houses at Maitland and Yzerplaat, was read, and ordered to lie on the table.

The Commission deliberated.

Mr. Stewart indicated the following as possible sources of water supply:—

Steenbras River, Palmiet River, Head of the Zonder End River, Du Toit's Kloof, Witte River, Breede River, Tulbagh Kloof, Berg River and Oliphant's Hoek.

The examination of Mr. Louw (Chairman) and Mr. Rouse (Secretary) of the Suburban Municipal Waterworks was resumed at 11 a.m.

ELEVENTH MEETING.

Friday, 18th April, 1902, 10·15 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
,, ANDERSON.	,, DYER.
Mr. DE VILLIERS.	,, LAWRENCE.
,, GURNEY.	

The Minutes of the previous meeting were read and confirmed.

Letter from the General Manager of Railways, containing tables of information relative to water supply called for by the Commission, was read.

Referred to Financial Returns Sub-Committee for disposal.

Letter from the Secretary of the Suburban Municipal Waterworks, giving certain information supplementing that given by Mr. Louw on the previous day, was read.

Resolved,—To insert the additional information as a footnote to the Minutes of Evidence of the 17th instant.

Mr. Edward Henry Heath, lately the Secretary of the Suburban Municipal Waterworks, gave evidence at 10·30 a.m.

The Commission deliberated.

The Chairman laid on the table a copy of the late Mr. Thomas Bain's report on the Twenty Four Rivers locality as a source of water supply, extracted from a Select Committee Report on Cape Town Sanitation, 1888.

TWELFTH MEETING.

Monday, 21st April, 1902, 10 *a.m.*

PRESENT :

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. DYER.
„ ANDERSON.	„ STEWART.
Mr. DE VILLIERS.	„ LAWRENCE.
„ GURNEY.	

The Minutes of the previous meeting were read and confirmed.

The Secretary laid upon the table the following Returns :

(1) Printed abstracts of the financial transactions of the Claremont Municipality during the last five years.

(2) Railway Water Supplies, furnished by the General Manager of Railways.

(3) Water Supply Return received from the Woodstock Municipality.

Returns and copies of Mayor's Minute for the year 1901 received from the Simonstown Municipality were handed in, and the Town Clerk reported that Mr. F. H. S. Hugo was the representative appointed by the Council to give evidence before the Commission.

The following Returns received from the Secretary of the Suburban Municipal Waterworks were handed in :

(1) Balance Sheet for the six months ended 31st December, 1900.

(2) Balance Sheet for the twelve months ended 31st December, 1901.

Letter from the Secretary of the Woodstock Municipality, requesting that the returns sent in by him might be amended as regards certain particulars, was referred to the Financial Returns Sub-Committee.

Further communication from the Secretary of the Suburban Municipal Waterworks relative to the gauging of the Albion Spring was read and ordered to be recorded.

Letter from Mr. E. H. Heath, supplying further information relative to the Suburban Municipal Waterworks, was read and ordered to be recorded.

Letter from the Town Clerk, Cape Town, relative to the currents in Table Bay, was read, and was ordered to stand over for future consideration.

Mr. Hugh Donnan (representative) and Mr. David Walker (Town Clerk) of the Claremont Municipality, gave evidence at 10·20 a.m.

THIRTEENTH MEETING.

Tuesday, 22nd April, 1902, 10 *a.m.*

PRESENT :

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. DYER.
„ ANDERSON.	„ STEWART.
Mr. DE VILLIERS.	„ LAWRENCE.
„ GURNEY.	

The Minutes of the previous meeting were read and confirmed.

The Secretary laid upon the table tabulated information rendered to the Commission by the Claremont Municipal Council.

Letter from the Honorary Secretary to the Constantia Fruit Growers' Association, requesting that the evidence might be heard of three gentlemen named therein, was read; and the Secretary was instructed to reply to the effect that the Commission would be pleased to take their evidence if they would first indicate the particular points upon which they wished to speak.

Letter from the Medical Officer of Health for the Colony was put in, enclosing copy of regulations relating to Slaughter-houses, which the Governor had notified it to be his intention to proclaim in force within the limits of the Cape Division outside the areas controlled by any Municipality.

Return from the General Manager of the Harbour Board, showing the quantity of water consumed per head in the Docks, was put in.

Resolved,—That the information be published as an Appendix to the Report of the Commission.

The Rondebosch Municipal Returns called for by the Commission were handed in, but being incomplete, were referred back to the Town Clerk of Rondebosch.

Mr. T. R Price, C.M.G., General Manager of Railways, gave evidence at 10·15 a.m., and the examination of Mr. Donnan (representative Councillor) and Mr. Walker (Town Clerk) of the Claremont Municipality, was resumed at 11·15 a.m.

FOURTEENTH MEETING.

Wednesday, 23rd April, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. DYER.
„ ANDERSON.	„ STEWART.
Mr. DE VILLIERS.	„ LAWRENCE.
„ GURNEY.	

The Minutes of the previous meeting were read and confirmed.

Letter from the Woodstock Municipality was read naming Mr. Moore and Mr. Behr as the Council's witnesses.

Resolved,—That their evidence be taken on the following day.

Letter from the Secretary of the Suburban Municipal Waterworks, forwarding Attorney's opinion upon the proprietorship of the mains used to supply water to the four Municipalities, read and ordered to be recorded.

Messieurs Starke (a member) and Van der Westhuizen (Secretary) of the Cape Divisional Council gave evidence at 10·20 a.m.

Letter from Colonial Secretary relative to Divisional Council matters read.

Resolved to communicate with the Under Colonial Secretary pointing out that the delay in the transmission of the correspondence necessitated the recalling of the Divisional Council witnesses.

The Commission deliberated.

FIFTEENTH MEETING.

Thursday, 24th April, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
„ ANDERSON.	„ DYER.
Mr. DE VILLIERS.	„ LAWRENCE.
„ STEWART.	

The Minutes of the previous meeting were read and confirmed.

The Secretary laid upon the table the following papers:

(1) Tabulated information supplied by the Town Clerk, Woodstock.

(2) Statement of assets and liabilities of the Cape Divisional Council for the half year ended 31st December, 1901.

(3) Printed abstracts showing the revenue and expenditure of the Woodstock and Kalk Bay Municipal Councils.

Mr. W. E. Moore, Mayor of the Town Council of Woodstock, gave evidence at 10·15 a.m.

The Commission deliberated.

SIXTEENTH MEETING.

Friday, 25th April, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
„ ANDERSON.	„ STEWART.
Mr. DE VILLIERS.	„ DYER.
„ LAWRENCE.	

The Minutes of the previous meeting were read and confirmed.

The Secretary laid upon the table the following papers:—

(1) Copy of Minutes of Meeting of Divisional Council *re* Maintenance of Roads and proposed abolition of Council, held on 10th April, 1902.

(2) Copy of resolutions passed at a Conference of Divisional and Municipal Council Delegates held in Cape Town on 5th and 19th December, 1901, and 23rd January, 1902, *re* Main and Branch Roads.

Resolved,—To have printed, as an annexure to the Report of the Commission, the report (handed in by Mr. Tonkin on the 14th April, 1902), made by Mr. Stewart to the Rondebosch and Mowbray Municipalities on the possibility and cost of obtaining water from the Steenbras River.

Mr. G. C. Behr, representative of the Municipality of Woodstock, gave evidence at 10·15 a.m.

SEVENTEENTH MEETING:

Monday, 28th April, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
„ ANDERSON.	„ STEWART.
Mr. DE VILLIERS.	„ DYER.

The Minutes of the previous meeting were read and confirmed.

The Secretary laid the following upon the table:—

(1) A map of the Witte River locality, prepared in the office of the Surveyor General.

(2) Copies of tabulated information relative to the financial position of the Woodstock Municipality, together with particulars concerning revenue and expenditure in regard to Oliphant's Hoek water supply.

(3) Copies of Report of Town Engineer, Woodstock, relative to the Oliphant's Hoek Water supply.

(4) Copies of summary of assets and liabilities and loan accounts of the Green and Sea Point Municipality to 31st December, 1901; and copies of tabulated general information relative to the Kalk Bay Municipality, prepared by the Financial Returns Sub-Committee.

Letter read from the Kalk Bay Municipal Council, naming delegates appointed to give evidence before the Commission.

Memorandum from the Town Clerk, Claremont, detailing views concerning Local Government, was put in.

Resolved,—That copies be made for the use of the members of the Commission.

Letter read from Mr. Newey, Chief Inspector of Public Works, stating his willingness to give evidence on the 29th April and drawing attention to evidence given by certain Public Works Department officers appearing in Blue Book "C.1—1898" Divisional Councils.

Two Letters from the General Manager of Railways were read, giving further information regarding Railway Water Supply, supplementing his evidence given on the 22nd April.

Resolved,—To add the information to Mr. Price's evidence.

Mr. Menmuir, Town Engineer for Woodstock, gave evidence at 10·20 a.m.

EIGHTEENTH MEETING.

Tuesday, 29th April, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. DYER.
„ ANDERSON.	„ GURNEY.
Mr. STEWART.	„ DE VILLIERS.
„ LAWRENCE.	

The Minutes of the previous meeting were read and confirmed.

The Secretary laid on the table copies of a memorandum put in by Mr. D. Walker, Town Clerk, Claremont, detailing views on Local Government.

Letter from the Town Clerk, Cape Town, enquiring what evidence the Commission desired Mr. Rigby, the Town Drainage Engineer, to give, was read.

Resolved,—To reply that the Commission would be glad if Mr. Rigby could give evidence under the heads:—1 (*a*) and (*c*) of the matters detailed in the Government Notice appointing the Commission.

Letter from Mr. J. H. Beresford, formerly Town Clerk, Woodstock, was read. Resolved to acknowledge receipt of the letter with thanks.

Letter from Mr. W. Spilhaus, giving certain information with regard to the Steenbras River locality, was read and ordered to be recorded.

The Commission deliberated.

Moved by Mr. Lawrence, seconded by Mr. Dyer: That a communication be addressed to Mr. T. Stewart, M.I.C.E., requesting him to commit to writing, for the information of the Commission, the extent of the knowledge in his possession with regard to possible sources of water supply, particularly in connection with the sources mentioned by him on the 17th April; and intimating that the Commission would like to know to what extent Mr. Stewart would be prepared to give evidence in respect to such sources. Carried.

Mr. Moore (Mayor) and Mr. Behr (Councillor) of the Municipality of Woodstock appeared and gave evidence at 11·15 a.m., and handed in (1) a copy of the form of Debenture used by the Woodstock Council in connection with the Oliphant's Hoek purchase; (2) Return of gaugings and supply of the Suburban Waterworks Springs for the years 1893—99.

NINETEENTH MEETING.

Wednesday, 30th April, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
„ ANDERSON.	„ DYER.
Mr. GURNEY.	„ LAWRENCE.
„ DE VILLIERS.	

The Minutes of the previous meeting were read and confirmed.

Certain Financial Returns supplied by the Corporation of the City of Cape Town for the years 1895 to 1901 were laid upon the table.

Resolved,—To invite Mr. W. Runciman, of Simonstown, to appear on Friday, the 2nd May, to give evidence.

Mr. Joseph Newey, M.I.C.E., Chief Inspector of Public Works, gave evidence at 10·15 a.m.

TWENTIETH MEETING.

Thursday, 1st May, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
„ ANDERSON.	„ DYER.
Mr. GURNEY.	„ LAWRENCE.
„ DE VILLEIRS.	

The Minutes of the previous meeting were read and confirmed.

Mr. Moore, Mayor of the Woodstock Municipality, gave further evidence at 10·15 a.m.

TWENTY-FIRST MEETING.

Friday, 2nd May, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY, Chairman.

Dr. GREGORY,	Mr. DE VILLIERS.
,, ANDERSON.	,, STEWART.
Mr. GURNEY.	,, LAWRENCE.

The Minutes of the previous meeting were read and confirmed.

Letter read from the General Manager of Railways intimating that if such a proposal as the discharge of sewage from Suburban Municipalities into Table Bay were given effect to, it would be prejudicial to the interests of the Railway Department and the public generally.

Resolved,—That the Town Clerk, Claremont, be requested to supply a copy of proceedings relative to the proposed purchase by Municipalities of the Electric Lighting Company's business.

Mr. W. Runciman, M.L.A., gave evidence at 10·15 a.m., and the Hon. A. Wilmot, M.L.C., gave evidence at 12 noon.

TWENTY-SECOND MEETING.

Monday, 5th May, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY, Chairman.

Dr. GREGORY.	Mr. DE VILLIERS.
,, ANDERSON.	,, STEWART.
Mr. GURNEY.	,, LAWRENCE.

The Minutes of the previous meeting were read and confirmed.

Letters relative to the attendance of Mr. Rigby, Drainage Engineer to the Cape Town Council, and Mr. Hugo, Mayor of Simonstown, were read.

An intimation having been made that Mr. Rigby desired to be informed as to the nature of the evidence expected from him, the Secretary was instructed to request him to call upon the Chairman, who would place him in possession of the information.

A similar course was decided upon in regard to Mr. Wynne-Roberts, Town Engineer to the Cape Town Council.

Mr. Stewart submitted a memorandum of the results of his inspection of the plans of the Oliphant's Hoek Water Scheme put in by the Woodstock Municipality on the 1st May.

Resolved,—That a copy of the memorandum be supplied to each member of the Commission for their confidential use.

The Secretary laid upon the table:—

(1) A copy of the Melbourne and Metropolitan Board of Works report on water supply and sewage (put in by Mr. Newey on 3rd May).

(2) Final print of Minutes of Evidence up to question 2118 of Friday, 18th April.

The Commission deliberated.

TWENTY-THIRD MEETING.

Tuesday, 6th May, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY, Chairman.

Dr. GREGORY.	Mr. DE VILLIERS.
,, ANDERSON.	,, STEWART.
Mr. GURNEY.	,, LAWRENCE.

The Minutes of the previous meeting were read and confirmed.

Resolved.—To invite Mr. G. H. Moller to tender evidence, chiefly on the question of Valuation.

The following gentlemen gave evidence:—

Dr. W. W. Stoney, District Surgeon, Kimberley, at 10·20 a.m.

Mr. W. E. Moore, Mayor of Woodstock, at 11·15 a.m.

Mr. F. H. S. Hugo (Mayor) and Mr. W. S. Gillard (Town Clerk) of Simon's Town, at 12·15 p.m.

TWENTY-FOURTH MEETING.

Wednesday, 7th May, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. DE VILLIERS.
,, ANDERSON.	,, STEWART.
Mr. GURNEY.	,, LAWRENCE.

The Minutes of the previous meeting were read and confirmed.

The Secretary laid on the table printed abstracts of the financial transactions of the Wynberg Municipality during the last five years; and also tabulated information relative to the same Municipality prepared by the Financial Returns Sub-Committee.

Mr. Theodore Vollmer, Councillor of the Wynberg Municipality, gave evidence at 10·15 a.m.

TWENTY-FIFTH MEETING.

Friday, 9th May, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. DE VILLIERS.
,, ANDERSON.	,, STEWART.
Mr. GURNEY.	,, LAWRENCE.

The Minutes of the previous meeting were read and confirmed.

The Secretary laid on the table copies of agreements between the Town Council of Rondebosch and the Cape Peninsula Lighting Company, dated respectively 26th April, 1892, and 19th September, 1898.

Copy of Counsel's opinion received by the Wynberg Town Council on the subject of Valuation was read and ordered to be recorded.

Letter from Mr. Newey, enclosing a communication from a Mr. Needham relative to Divisional Council proceedings read.

Letter from Mr. Newey, enclosing a communication from the Mayor of Cape Town relative to the evidence given by Mr. Newey before the Commission on the 30th April read.

Resolved,—To enquire whether it was Mr. Newey's desire that the Commission should furnish a copy of his evidence to the Mayor of Cape Town.

Mr. Theodore Vollmer, Councillor of the Wynberg Municipality, gave evidence at 10·15 a.m.

The Commission deliberated.

TWENTY-SIXTH MEETING.

Monday, 12th May, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. DE VILLIERS.
,, ANDERSON.	,, STEWART.
Mr. GURNEY.	,, LAWRENCE.

The Minutes of the previous meeting were read and confirmed.

The Secretary laid on the table certain tabulated information relative to the financial position of the Municipality of Rondebosch, prepared by the Financial Returns Sub-Committee.

Letter was read from Mr. D. F. Cole, M.C.E., Melbourne University, offering to give evidence before the Commission with regard to his experience as an Engineer and Surveyor in the State of Victoria.

Resolved,—To ask Mr. Cole to call upon the Chairman.

Resolved,—Not to print a certain memorandum which Mr. Wilmot wished to add to his evidence given before the Commission on the 2nd May.

Letter from Mr. Newey, containing a further communication from Mr. Needham read and ordered to lie on the table.

Mr. W. Runciman, M.L.A., gave further evidence at 10·15 a.m., and Mr. G. H Moller gave evidence at 11 a.m.

The Commission deliberated.

TWENTY-SEVENTH MEETING.

Tuesday, 13*th May*, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. DE VILLIERS.
,, ANDERSON.	,, STEWART.
Mr. GURNEY.	,, LAWRENCE.

The Minutes of the previous meeting were read and confirmed.

The Secretary laid on the table copies of final print of Minutes of Evidence up to question 3571.

Mr. Gurney gave notice that on Wednesday, he would propose that the letter of Mr. Newey, produced at the previous meeting enclosing a communication from Mr. Needham, be dealt with.

Messrs. Hugo (Mayor) and Gillard (Town Clerk) of the Simon's Town Municipality, gave further evidence at 10·15 a.m.; and Mr. Clark, Government Electrical Engineer, gave evidence at 11·30 a.m.

TWENTY-EIGHTH MEETING.

Wednesday, 14*th May*, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. DE VILLIERS.
,, ANDERSON.	,, STEWART.
Mr. GURNEY.	,, LAWRENCE.

The Minutes of the previous meeting were read and confirmed.

Memoranda from the Town Clerk, Wynberg, supplementing evidence given by Mr. Vollmer, were laid upon the table.

Resolved,—That the enclosure to the letter from Mr. Newey laid on the table on the 12th instant, be forwarded to the Controller and Auditor-General, and that Mr. Newey be apprised that the letter had been so forwarded as the subject of it did not come within the scope of the enquiry of the Commission.

Mr. T. Vollmer, representative of the Wynberg Municipality, gave further evidence before the Commission at 10·15 a.m.

The Commission deliberated.

TWENTY-NINTH MEETING.

Thursday, 15*th May*, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY, Chairman.

Dr. GREGORY.	Mr. DE VILLIERS.
,, ANDERSON.	,, STEWART.
Mr. GURNEY.	,, LAWRENCE.

The Minutes of the previous meeting were read and confirmed.

The Secretary laid on the table Returns showing the financial position of the Suburban Municipal Waterworks as on the 31st December, 1900, and 31st December, 1901.

Letter from Mr. John Young, late Town Clerk, Sea Point, offering to give evidence on Municipal Administration, read and ordered to lie on the table.

Letter read from Mr. J. B. Currey, of Rosebank, on Municipal boundaries and the system of valuation.

Resolved that the letter be acknowledged and Mr. Currey be informed that the Commission would be pleased to take his evidence later on.

Letter from Mr. Newey, Chief Inspector of Public Works, relative to the communication from the Mayor of Cape Town, forwarded to the Commission by Mr. Newey on the 8th May, read and ordered to lie on the table.

Pamphlets from Messrs. Cochrane and Cherry on "Researches into the Bacterial Purification of Sewage" and Mr. H. H. Greenhill on "*Ulva Latissima* as a Foreshore Nuisance" were laid upon the table, and the Secretary was instructed to acknowledge their receipt with thanks.

Mr. W. Craig, A.M.I C.E., of the Public Works Department, gave evidence at 10·15 a.m., and Mr. W. Westhofen, M.I.C.E., also of the Public Works Department, gave evidence at 11·30 a.m.

THIRTIETH MEETING.

Friday, 16*th May*, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
„ ANDERSON.	

The Minutes of the previous meeting were read and confirmed.

Printed abstracts of the receipts and expenditure of the Rondebosch Municipality during the five years ended 31st December, 1901, were laid upon the table.

The following reports, handed in by Mr. W. Craig, A.M.I.C.E., for the information of the Commission, were laid upon the table:—

(1) Report upon Public Abattoirs at Sydney, September, 1900.
(2) Report on the interception and disposal of the drainage of Sydney and suburbs, June, 1877.
(3) Twelfth Report of the Sydney Board of Water Supply and Sewerage, June, 1900.

Messieurs E. J. Earp (Mayor), John Andrews (Town Councillor), and W. A. Batchelor (Town Clerk), of Rondebosch, gave evidence at 10·15 a.m.

Letters read from Mr. Westhofen, one correcting certain evidence given by him on the previous day relative to the Newlands Reservoir and the other forwarding information and a Government report relative to the Simonstown Storage Reservoir.

Resolved,—To add the information to Mr. Westhofen's evidence.

THIRTY-FIRST MEETING.

Tuesday, 20*th May*, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. DE VILLIERS.
„ ANDERSON.	„ GURNEY.

The Minutes of the previous meeting were read and confirmed.

Letter read from the Town Clerk of Claremont, transmitting a resolution adopted by the Claremont Town Council, that the Council was of opinion that Mr. Newey should be required to adduce facts to substantiate a certain statement made by him before the Commission on the 30th April last.

Resolved,—That a copy of the letter be conveyed to Mr. Newey for his information; and that it be suggested for his consideration that he appear again before the Commission with the view of supplementing the evidence already given.

Letter read from the Town Clerk of Claremont intimating that as soon as the Councils concerned had concluded their deliberations in the matter of electric lighting the information asked for in the matter by the Commission would be forthcoming.

Mr. Charles Stewart, Secretary to the Cape Colony Meteorological Commission, gave evidence at 10·15 a.m.; and Mr. R. O. Wynne-Roberts, Town Engineer, Cape Town, gave evidence at 11·10 a.m.

THIRTY-SECOND MEETING.

Wednesday, 21*st May*, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. DE VILLIERS.
„ ANDERSON.	„ GURNEY.

The Minutes of the previous meeting were read and confirmed.

Letter read from Mr. Stewart, Secretary of the Meteorological Commission, making enquiries with regard to certain further statistical information required from him.

The Secretary was instructed to supply him with the required particulars.

Letters read from Mr. John Young, lately a Secretary to the Green and Sea Point Municipality, relative to Municipal Management, and offering to give evidence thereon.

Resolved to inform Mr Young that his evidence would be taken if deemed necessary.

Letter from the General Manager of Railways, forwarding enclosures relative to an offer made by the Cape Town Council to supply the Railway Department with water, read and ordered to be recorded.

Messieurs E. J. Earp (Mayor), John Andrews (Town Councillor), and W. A. Batchelor (Town Clerk), of Roudebosch, gave further evidence at 10·15 a.m.

THIRTY-THIRD MEETING.

Thursday, 22nd May, 1902, 10 a.m.

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. DE VILLIERS.
,, ANDERSON.	,, GURNEY.

The Minutes of the previous meeting were read and confirmed.

Letter read from the Secretary to the Cons antia Fruit Growers' Association, detailing heads of evidence that the Association's representatives were prepared to give.

Mr. R. O. Wynne-Roberts, M.I.C.E., Engineer to the Cape Town Council, gave further evidence at 10·15 a.m.

The Commission deliberated.

THIRTY-FOURTH MEETING.

Friday, 23rd May, 1902, 10 a.m.

PRESENT:

Sir W. BISSET BERRY (Chairman).	Mr. DE VILLIERS.
,, GREGORY.	,, GURNEY.
,, ANDERSON.	

The Minutes of the previous meeting were read and confirmed.

Letter read from the Town Clerk, Sea Point, stating that the representatives of his Council would not be able to attend to give evidence before the Commission on the 26th May.

Resolved,—To ask the Town Clerk to give the names of the representatives.

Letter from the Town Clerk of Simon's Town, enclosing copy of the resolution passed by the Simonstown Council on the 9th July, 1900, in connection with the proposal that Municipalities should take over the Divisional and Main Roads within their respective areas, read and ordered to be recorded.

Letter read from Mr. Wynne-Roberts giving supplementary information relative to the area on Table Mountain under the control of the Cape Town Council.

Resolved,—To add the information as a footnote to his evidence.

Letter from the Town Clerk of Woodstock relative to the evidence given by Dr. Stoney as affecting the Plague Administration at Woodstock, read and ordered to be recorded.

Resolved that the evidence of the Kalk Bay Municipal representatives be taken on Monday, the 26th; of the Constantia Fruitgrowers' Association, on Tuesday, the 27th; of Mr. William Hay on Tuesday, the 27th; of Mr. H. M. Oakley on Wednesday, the 28th; and of Mr. L. McLean on Thursday, the 29th May.

Mr. Rigby, Drainage Engineer to the Cape Town Council, gave evidence at 10·15 a.m.

The Commission deliberated.

THIRTY-FIFTH MEETING.

Monday, 26th May, 1902, 10 a.m.

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. DE VILLIERS.
,, ANDERSON.	,, GURNEY.

The Minutes of the previous meeting were read and confirmed.

The Secretary laid on the table printed Financial Abstracts of the Green and Sea Point Municipality, and tabulated information relative to the Kalk Bay Municipality, as prepared by the Financial Returns Sub-Committee, and also a copy of the Voters' List for 1901, supplied by the Secretary to the Divisional Council.

Messrs. H. H. Scowen (Mayor), George Powell (Councillor), Alfred Barnes (Town Clerk) and Thomas Bennett (Engineer), of the Kalk Bay Municipality, gave evidence at 10·45 a.m.

THIRTY-SIXTH MEETING.

Tuesday, 27th May, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. DE VILLIERS.
,, ANDERSON.	,, GURNEY.

The Minutes of the previous meeting were read and confirmed.

The Secretary laid on the table final print of Minutes of Evidence from question 3572 to question 5593.

Letter read from Mr. Charles Stewart, Secretary of the Meteorological Commission, forwarding statistical returns relative to rainfall on Table Mountain and to evaporation at the Cape Town Reservoirs, with a rough sketch of the top of Table Mountain showing rain gauge localities, and a memorandum with reference to the evidence given by him on the 20th May.

Resolved,—That the returns and the sketch be published as an Appendix to the Report, and that the memorandum be added as a footnote to Mr. Stewart's evidence.

At 10·15 a.m., Messrs. Henry Cloete, C.M.G., and R. Myburgh, representatives of the Constantia Fruit Growers' Association, gave evidence; and at 12 noon Mr. William Hay appeared and gave evidence.

THIRTY-SEVENTH MEETING.

Wednesday, 28th May, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	

The Minutes of the previous meeting were read and confirmed.

Report received from Professor MacOwan on "*Ulva Latissima* as a Foreshore Nuisance" and on "Palmiet Discolouration of Water" placed upon the table.

Resolved,—That the communication be printed as an Appendix to the Commission's Report.

Letter from Mr. Joseph Newey relative to a request made by the Claremont Municipality that he should substantiate a certain statement made by him in evidence before the Commission, read and ordered to be recorded.

Letter read from the Town Clerk, Cape Town, giving the names of the representatives of the Town Council deputed to give evidence before the Commission.

Resolved,—To ask the Mayor to give evidence on Monday, the 9th proximo.

Letter read from the Town Clerk, Cape Town, forwarding certain statistical statements relative to the Cape Town Municipality.

The Secretary was instructed to acknowledge receipt with thanks, and to intimate that the Commission would be glad to have the further information promised as soon as possible.

Referred to the Financial Returns Sub-Committee.

Letter read from the Town Clerk, Rondebosch, giving the extent of the Steenbras River Farm.

Resolved that the information be added as a footnote to the evidence of Messrs. Earp and Andrews.

Letter read from the Secretary of the Cape Divisional Council, conveying a resolution of the Council requesting that the Commission should examine Mr. Bromley, District Inspector, Public Works Department, as to the Divisional Council Roads in the Peninsula.

Resolved,—To ask Mr. Bromley to appear and give evidence on Friday, the 30th May, at 11·30 a.m.

Dr. Gregory put in certain correspondence between the Health Department and Mr. H. P. Saunders in the matter of water and boreholes.

Resolved,—To ask Mr. Saunders to appear and give evidence on Friday, the 30th May, at 10·15 a.m

Mr. H M. Oakley gave evidence at 10·15 a.m., and Mr. Henry Beard gave evidence at 12 noon.

Mr. Beard put in copy of his Mayor's Minute for the Claremont Municipality for the year 1893.

THIRTY-EIGHTH MEETING.

Thursday, 29th May, 1902, 10 *a.m.*

PRESENT :

Sir W. BISSET BERRY (Chairman).

DR. GREGORY.	MR. GURNEY.
„ ANDERSON.	„ STEWART.

The Minutes of the previous meeting were read and confirmed.

The Secretary laid on the table copies of certain statistical returns furnished by he Cape Town Council.

Letter read from Mr. Newey, Chief Inspector of Public Works, covering statements of services proposed to be rendered by the Department.

Resolved,—To confirm the statements after striking out the words " and thence to Cape Point " in Scheme B ; and to enquire what time would be occupied in acquiring the necessary information.

At 10·15 a.m. Mr. Lachlan MacLean gave evidence, and the Revd. F. B. Moore gave evidence at 12 noon.

The Commission deliberated.

THIRTY-NINTH MEETING.

Friday, 30th May, 1902, 10 *a.m.*

PRESENT :

Sir W. BISSET BERRY, (Chairman).

DR. GREGORY.	MR. STEWART.
„ ANDERSON.	„ DE VILLIERS.
MR. GURNEY.	

The Minutes of the previous meeting were read and confirmed.

The Secretary laid on the table two copies of a memorandum prepared by the Cape Town City Treasurer having reference to the Financial position of the Council in respect of Loan moneys as at 31st March, 1902 ; and from Mr. Beard a draft of a Bill, prepared by Mr. (now Sir) J. Rose Innes in 1892, providing for the creation of a Suburban Drainage Board.

The Town Clerk, Kalk Bay, submitted a statement of rain gauge readings for the years 1900 and 1901, which was laid upon the table.

Letter read from the Town Clerk, Sea Point, giving the names of the witnesses deputed to give evidence, and asking for a list of points on which the Commission required evidence.

Resolved that the Secretary supply same.

Letter read from the Town Clerk, Cape Town, stating that the Mayor would be unable to attend and give evidence on Monday, the 9th June.

Resolved that the evidence of Councillor Ball be taken on 9th June, Messieurs O'Reilly and Bosman respectively on the two following days, the other representatives of Committees to be examined later.

Letter read from Professor Gilchrist, Government Biologist, upon " Seaweed as a Foreshore Nuisance."

Resolved,—That the letter be published, together with Professor MacOwan's on a similar subject, as an Appendix to the Report of the Commission.

Resolved,—To call the following witnesses :—Professor Corstorphine and Mr. St. Vincent Erskine, on Monday, the 2nd June, Mr. Thomas Stewart, M.I.C.E., on Tuesday, the 3rd June, Mr. Hammersley-Heenan (2nd time) and Mr. L. Wiener, on Wednesday, the 4th June, and the representatives of the Maitland Municipality on Thursday, the 5th June.

Mr. H. P. Saunders gave evidence at 10·15 a.m. This witness put in two maps (1) of Cape Town and (2) of the suburbs showing borehole localities, and reference lists of boreholes at (1) Cape Town and Sea Point and (2) Woodstock and other suburbs, indicating the places where the bores had been put in together with their depth and yield of water.

Mr. Bromley, Road Inspector, Public Works Department, gave evidence at 11·30 a.m.

FORTIETH MEETING.

Monday, 2nd June, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
,, ANDERSON.	,, DE VILLIERS.
Mr. GURNEY.	

The Minutes of the previous meeting were read and confirmed.

The Secretary handed in, for the Financial Returns Sub-Committee, financial and other returns received from the Green and Sea Point Municipality.

The Secretary laid on the table copies of the final print of Minutes of Evidence from questions 5594 to 7059.

Letter read from Professor Corstorphine, expressing regret at his inability to give evidence before the Commission.

Letter read from Mr. Thomas Stewart, M.I.C.E., intimating his wish to postpone giving his evidence until after the evidence still to be given by Public Bodies had been taken. Agreed to.

Letter read from the Town Clerk, Rondebosch, forwarding, for the information of the Commission, a report by Mr. Moore Wilson, on the Steenbras River locality, and intimating that the Rondebosch Council wished the report to be treated as "confidential."

Letter read from Mr. Wiener, expressing regret at being unable to attend to give evidence on Wednesday, the 4th June.

Resolved,—To ask Mr. Wiener for Thursday, the 12th June; and Mr. Isidore Hanau for Wednesday, the 4th.

The Commission deliberated.

The Secretary was instructed to write to the Chief Inspector of Public Works, asking him to favour the Commission with an estimate of the cost of making the requisite investigation into the suitability of the Twenty Four Rivers locality as a source of water supply.

At 11·30 a.m. Mr. St. Vincent Erskine gave evidence, in the course of which he put in a map of the Palmiet River catchment area.

FORTY-FIRST MEETING.

Tuesday, 3rd June, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
,, ANDERSON.	,, DE VILLIERS.
Mr. GURNEY.	

The Minutes of the previous meeting were read and confirmed.

Copies of Statistical Returns received from the Green and Sea Point Municipality were laid upon the table, as also was copy of a Return of rain gauge records received from the Kalk Bay Municipality.

Letter read from Mr. Westhofen of the Public Works Department giving further information relative to the Twenty Four Rivers as a source of water-supply and on the capabilities of the Cape Peninsula as a source of water supply generally.

Resolved,—That Mr. Westhofen be thanked and that the communication be printed as an Appendix to the Commission's Report.

Letter read from Mr. H. V. O'Meagher enclosing an extract from the *Sydney Morning Herald* entitled "The Greater Sydney Movement."

Resolved,—To thank Mr. O'Meagher for the cutting.

Mr. De Villiers put in draft of questions for Council's opinion on the position of Municipalities with regard to water supply.

Resolved,—To submit the questions for Mr. Schreiner's opinion.

The Commission deliberated.

FORTY-SECOND MEETING.

Wednesday, 4th June, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
„ ANDERSON.	„ DE VILLIERS.
Mr. GURNEY.	

The Minutes of the previous meeting were read and confirmed, with a slight verbal alteration.

Letter read from Mr. St. Vincent Erskine, suppiementing the information given by him on the 2nd instant.

Resolved,—To print Mr. Erskine's letter with his evidence.

Letter read from Mr. T. J. O'Reilly, Chairman of the Public Works and Improvements Committee of the Cape Town Council, intimating his unwillingness to give evidence.

Resolved,—That Mr. O'Reilly be requested to arrange for the attendance of another Member of the Committee.

Resolved,—To write to the Chief Inspector of Public Works, stating that in the opinion of the Commission it was advisable that in concurrence with Mr. Bennett, Engineer of the Kalk Bay Municipality, an estimate should be framed for submission to the Commission of the cost (a) of raising the dam wall of the Kalk Bay Reservoir for the purpose of so increasing its storage capacity as to give a supply for Simonstown, and (b) of laying a line of pipe of sufficient size to convey such supply to Simonstown; and adding that before commencing the work the Commission would be glad to learn what the Chief Inspector considered would be the necessary cost of obtaining the information, including the fee which should be paid to Mr. Bennett.

Mr. Hammersley-Heenan, General Manager of the Table Bay Harbour Board, reappeared and gave further evidence at 10·15 a.m.; and Mr. Isidore Hanau gave evidence at 11·30 a.m.

FORTY-THIRD MEETING.

Thursday, 5th June, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
„ ANDERSON.	„ DE VILLIERS.

The Minutes of the previous meeting were read and confirmed.

Representatives of the Municipality of Maitland, Mr. John McGregor (Mayor) and Mr. Edward Hutt (Town Councillor), gave evidence at 10·15 a.m.

FORTY-FOURTH MEETING.

Friday, 6th June, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
„ ANDERSON.	„ DE VILLIERS.

The Minutes of the previous meeting were read and confirmed.

Printed abstracts of the financial transactions of the late Village Management Board of Maitland were laid upon the table.

Correspondence received from the Under Colonial Secretary relative to (1) Pu bli Washhouses and Laundries in Municipal areas, and (2) the Pollution of the Liesbeek River, was laid upon the table.

Letter read from the British Working Men's Association of South Africa, conveying resolutions passed by the Association on matters coming within the scope of the Commission's enquiry.

Resolved,—That the Association be notified that the Commission would be pleased to examine any member of the Association deputed to give evidence, especially in regard to the points indicated in Resolution 2.

Mr. Advocate De Villiers intimated that Mr. Schreiner was not in a position to give opinion on the questions submitted to him.

Resolved,—To ask the Attorney-General to obtain advice from the Law officers of the Crown upon the several questions.

The Commission then deliberated.

FORTY-FIFTH MEETING.

Tuesday, 10*th June*, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman),

Dr. GREGORY.	Mr. W. E. GURNEY.
„ ANDERSON.	

The Minutes of the previous meeting were read and confirmed.

Letter from the Town Clerk, Woodstock, covering (1) copy of Mr. Wright's report on the Oliphant's Hoek scheme, and (2) Precis of correspondence with other Municipalities on the drainage scheme, was laid upon the table.

Councillor T. Ball, Chairman of the Electric Lighting, Waterworks, and Fire Brigade Committee of the Cape Town Council, gave evidence at 10·15 a.m.

FORTY-SIXTH MEETING.

Wednesday, 11*th June*, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. W. E. GURNEY.
„ ANDERSON.	

The Minutes of the previous meeting were read and confirmed.

Councillor Ball gave further evidence at 10·15 a.m.; and at 12 noon Councillor P. J. Bosman, Chairman of the Finance and City Lands Committee of the Cape Town Council, was associated with Mr. Ball, and gave evidence with regard to the proposed municipalization of the Camps Bay locality.

Mr. Wahl, of the firm of Silberbauer, Wahl & Fuller, on behalf of the Cape Marine Suburbs, Limited, put certain questions to the witnesses through the Chairman.

FORTY-SEVENTH MEETING.

Thursday, 12*th June*, 1902, 2·15 *p.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
„ ANDERSON.	„ STEWART.

The Minutes of the previous meeting were read and confirmed.

The Secretary laid on the table copies of the final print of Minutes of Evidence from question 7060 to question 8189.

Councillors Ball and Bosman, representatives of the Cape Town Council, gave further evidence at 2·30 p.m.

FORTY-EIGHTH MEETING.

Friday, 13*th June*, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
,, ANDERSON.	,, DE VILLIERS.
Mr. GURNEY.	

The Minutes of the previous meeting were read and confirmed.

The Secretary laid upon the table the following documents put in by Mr. Hammersley-Heenan, the General Manager of the Table Bay Harbour Board:—

(1) Copy of Water Agreement between the Table Bay Harbour Board and the Cape Town Council.

(2) Copy of Report on the Liernur system of Drainage.

Letter read from the Hon. Secretary of the British Working Men's Association of South Africa, deputing two representatives to give evidence.

Resolved.—To fix a subsequent date for their attendance.

Letter read from Captain C. H. Jackson, forwarding correspondence relative to valuations of property.

Resolved to inform the writer that the matter had been brought to the notice of the Commission.

Councillor Ball gave further evidence at 10·30 a.m.

FORTY-NINTH MEETING.

Monday, 16*th June*, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY, (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, STEWART.

The Minutes of the previous meeting were read and confirmed.

The Secretary laid upon the table copies of the printed financial abstract of the Rondebosch Municipality as amended, and slips of final print of Minutes of Evidence from question 8190 to question 9186.

Mr. George Smart gave evidence at 10·15 a. m.

FIFTIETH MEETING.

Tuesday, 17*th June*, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
,, ANDERSON.	,, DE VILLIERS.
Mr. GURNEY.	

The Minutes of the previous meeting were read and confirmed.

The Secretary laid upon the table slips of final print of Minutes of Evidence from question 9187 to question 10072.

Messrs. R. P. L. Wahl and W. T. Olive, M.I.C.E., representing the Cape Marine Suburbs, Limited, gave evidence at 10·15 a.m., and Mr. George Smart gave further evidence at 11·30 a.m.

Mr. Olive in the course of his evidence put in a table of statistics of gaugings streams on the estate of the Cape Marine Suburbs.

The Commission deliberated.

The question of remunerating Mr. Olive, Drainage Engineer, for expert evidence proposed to be given before the Commission was considered, and it was decided to enquire what fee he would require for attending at one sitting of the Commission for the purpose of giving evidence on the subject of Municipal Drainage in particular and on any other matter connected with Municipal work coming under the scope of the Commission's enquiry.

FIFTY-FIRST MEETING.

Wednesday, 18th June, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
„ ANDERSON.	„ DE VILLIERS.
Mr. GURNEY.	

The Minutes of the previous meeting were read and confirmed.

The Commission deliberated.

Reply read from Mr. Olive to the effect that his fee for attendance at one sitting would be 50 guineas.

Resolved,—That further consideration of this matter stand over.

The Chairman read the heads of evidence proposed to be given by Mr. Thomas Stewart on the following day.

At 11 a.m., the Hon. W. P. Schreiner, K.C., gave evidence.

FIFTY-SECOND MEETING.

Thursday, 19th June, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
„ ANDERSON.	„ DE VILLIERS.
Mr. GURNEY.	

The Minutes of the previous meeting were read and confirmed.

At 10·15 a.m., Mr. Thomas Stewart, M.I.C.E., gave evidence. The witness put in Tables showing comparative rainfall on Table Mountain and at other points in the Cape Peninsula during the years 1882–1901, and rainfall at Maclear's Beacon and Dam Gauge on Table Mountain for each month during the years 1894–1901 inclusive.

FIFTY-THIRD MEETING.

Friday, 20th June, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
„ ANDERSON.	„ DE VILLIERS.
Mr. GURNEY.	

The Minutes of the previous meeting were read and confirmed.

Mr. L. Wiener gave evidence at 10·15 a.m.; and Mr. Thomas Stewart, M.I.C.E., gave further evidence at 11 a.m., and put in a Report upon Table Mountain Reservoirs with Appendices showing yearly rainfall on the Mountain.

The Commission deliberated.

FIFTY-FOURTH MEETING.

Monday, 23rd June, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr GURNEY.
„ ANDERSON.	„ DE VILLIERS.

The Minutes of the previous meeting were read and confirmed.

Messrs. W. N. Dixon and W. Jacobs, two representatives deputed by the British Working Men's Association of South Africa, gave evidence at 10·15 a.m.

The Commission deliberated.

FIFTY-FIFTH MEETING.

Tuesday, 24th June, 1902, 10 a.m.

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
,, ANDERSON.	,, DE VILLIERS.
Mr. GURNEY.	

The Minutes of the previous meeting were read and confirmed.

At 10·15 a.m., the representatives of the Municipality of Green and Sea Point, Messrs. J. L. M. Brown, M.L.A. (Councillor), H. Herring (Town Clerk), and R. H. Heward (Town Engineer), gave evidence.

FIFTY-SIXTH MEETING.

Wednesday, 25th June, 1902, 10 a.m.

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
,, ANDERSON.	,, DE VILLIERS.
Mr. GURNEY.	

The Minutes of the previous meeting were read and confirmed.

Letter from Mr. Olive, giving further information with regard to Springs on the Cape Peninsula, read, and ordered to be recorded.

Letter read from the Town Clerk, Cape Town, stating that Mr. J. Wyllie had been deputed to give evidence before the Commission in the room of Mr. Councillor T. J. O'Reilly.

Resolved,—To ask Mr. Wyllie to attend on Tuesday, the 8th July.

Mr. Thomas Stewart, M.I.C.E., gave further evidence at 10·30 a.m.

Resolved to adjourn until Monday, the 7th July, at 10 a.m., and to ask the Mayor and Town Clerk of Cape Town to appear on that day at 10·15 a.m.

FIFTY-SEVENTH MEETING.

Monday, 7th July, 1902, 10 a.m.

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
,, ANDERSON.	,, DE VILLIERS.
Mr. GURNEY.	

The Minutes of the previous meeting were read and confirmed.

Letter read from the Secretary to the Law Department, intimating that the Department was not prepared to advise in regard to questions concerning the position of certain Municipalities in the matter of water supply.

Letter from the Secretary of the Suburban Municipal Waterworks, forwarding copy of Municipal guarantee to Standard Bank *re* the sum of £300,000, read and ordered to be recorded.

Letter from the Town Clerk, Cape Town, forwarding copy of correspondence relative to steps being taken to prevent the re-introduction of plague into the City through the Port of Table Bay, read, and ordered to be recorded.

Letter read from the Town Clerk of Woodstock, expressing the surprise of his Council at the excessive estimate given by Mr. Thomas Stewart before the Commission with regard to the cost of a scheme for the supply of water to the Peninsula.

Resolved,—That the Public Works Department be communicated with in regard to the information in respect of surveys of water sources asked for on the 29th May and 2nd and 4th June.

At 10·15 a.m. Mr. William Thorne (Mayor) and Mr. J. R. Finch (Town Clerk) of Cape Town, gave evidence.

FIFTY-EIGHTH MEETING.

Tuesday, 8th July, 1902, 10 *a.m.*

PRESENT :

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
„ ANDERSON.	„ DE VILLIERS.
Mr. GURNEY.	

The Minutes of the previous meeting were read and confirmed.

At 10·15 a.m. Mr. James Wyllie, Town Councillor, Cape Town, appeared and gave evidence; and at 11·30 a.m. Mr. Thorne (Mayor) and Mr. Finch (Town Clerk) of Cape Town gave further evidence.

The Secretary laid on the table copies of final print of Minutes of Evidence from question 10073 to question 10800.

FIFTY-NINTH MEETING.

Wednesday, 9th July, 1902, 11 *a.m.*

PRESENT :

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
„ ANDERSON.	„ DE VILLIERS.
Mr. GURNEY.	

The Minutes of the previous meeting were read and confirmed.

Letter read from the Public Works Department, dated the 8th July, covering a report from the Chief Inspector as to the estimated cost involved and time required to undertake surveys of the Orange Kloof, Constantia and Muizenberg Mountain plateaus, the Palmiet River, and the Twenty-Four Rivers as possible sources of water supply for the Cape Peninsula.

Resolved,—To eliminate Scheme B (the survey of the Constantia and Muizenberg mountain plateaus), to add on the Oliphant's Hoek area, and to defer further consideration of the matter until the following day, the Commission to meet at 9·30 a.m., and to invite Messieurs Newey and Westhofen to be present at 11 a.m.

Resolved,—To acknowledge the receipt of the letter read on the 7th July from the Woodstock Town Council relative to Mr. Thomas Stewart's evidence, and to inform the Council that for statements volunteered by individual witnesses before the Commission, the Commission as a body was not responsible.

The Commission deliberated.

SIXTIETH MEETING.

Thursday, 10th July, 1902, 9·30 *a.m.*

PRESENT :

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
„ ANDERSON.	„ DE VILLIERS.
Mr. GURNEY.	

The Minutes of the previous meeting were read and confirmed.

The Commission deliberated.

At 11 a.m., Mr. Joseph Newey, Chief Inspector of Public Works, and Mr. W. Westhofen, Chief Engineer in the Public Works Department, attended at the request of the Commission, and consultation ensued relative to the proposed surveys of the Orange Kloof, Palmiet River, Oliphant's Hoek and Twenty Four Rivers localities, Messrs. Newey and Westhofen undertaking to furnish further information in the matter preparatory to the Commission approaching the Commissioner for Public Works with a view to the issue of the necessary authority for the service.

SIXTY-FIRST MEETING.

Wednesday, 23rd July, 1902, 10·30 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. DE VILLIERS.
,, ANDERSON.	,, LAWRENCE.
Mr. GURNEY.	

The Minutes of the previous meeting were read and confirmed.

Letter read from Chief Inspector of Public Works, dated 16th July, submitting a statement by Mr. Westhofen in regard to the survey of the Orange Kloof locality.

The Special Census Return (July, 1902,) for the Municipality of Maitland, handed in by the Statistical Registrar for the Colony, was laid upon the table.

The Commission deliberated.

SIXTY-SECOND MEETING.

Thursday, 31st July, 1902, 10·30 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, STEWART.
	,, DE VILLIERS.

The Minutes of the previous meeting were read and confirmed.

Further Special Census Returns (July, 1902,) for the Municipalities of Green and Sea Point, Simonstown, Kalk Bay, Rondebosch, Claremont, and Durbanville received from the Statistical Registrar, were laid upon the table.

The Secretary also laid upon the table the concluding portion of the final print of Minutes of Evidence, and also final print of the Index of Evidence.

Letter from the Chief Inspector of Public Works, dated 24th July, forwarding further memoranda, prepared by Mr. Westhofen, relative to proposed surveys of Palmiet River, Twenty Four Rivers, and Oliphant's Hoek River, was read.

Resolved,—To hand that and the previous correspondence, relative to the Orange Kloof survey, to Mr. Stewart for favour of report.

The Commission deliberated.

SIXTY-THIRD MEETING.

Monday, 4th August, 1902, 10·30 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, STEWART.
	,, DE VILLIERS.

The Minutes of the previous meeting were read and confirmed.

The Secretary laid on the table Special Census Returns (July, 1902,) received from the Statistical Registrar for Cape Town, Mowbray, and Woodstock, and an amended return for Simonstown.

Letter read from the Town Clerk, Wynberg, authorising officers of the Public Works Department to enter upon the Council's property in Orange Kloof with a view to making certain necessary surveys.

Mr. Stewart handed in a report upon the proposals of the Public Works Department with regard to the Orange Kloof survey.

Resolved,—To communicate with the Colonial Secretary, forwarding copies of the memoranda by the Chief Inspector and by Mr. Stewart, and informing him that the Commission having had under consideration the desirability of obtaining further information as to the suitability of the Orange Kloof locality for a Storage Reservoir, request the authority for the proposed survey by the officers of the Public Works Department, with the view of ascertaining whether there could be constructed below the Constantia Nek a reservoir capable of storing water to give a supply of 2½ million gallons per diem during the dry season of six months, and of obtaining a report on the cost of such reservoir, and the best means and cost of conveying such daily supply therefrom to the Service Reservoir at Wynberg, and further that the Commission consider it desirable that the report on the means and cost of delivering the water to the Service Reservoir should indicate the comparative cost of the alternative proposals to pump or to convey by tunnel.

With reference to the communication from he Chief Inspector, dated 24th July, 1902, covering Mr. Westhofen's memoranda of observations required for the Palmiet River, Oliphant's Hoek and Twenty Four Rivers schemes, Mr. Stewart reported that he considered it would be desirable for the Commission to have these observations carried out.

Unanimously resolved,—That in view of Mr. Stewart's report the sanction of the Minister be obtained to incurring the expenditure necessary for giving effect thereto.

The Commission deliberated.

SIXTY-FOURTH MEETING.

Wednesday, 6th August, 1902, 10·30 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
,, ANDERSON.	,, DE VILLIERS.
Mr. GURNEY.	

The Minutes of the previous meeting were read and confirmed.

The Secretary laid on the table the Special Census Returns (July, 1902,) for the Municipality of Wynberg, furnished by the Statistical Registrar, as also amended Returns for the Municipalities of Woodstock and Mowbray.

Letter read from the Town Clerk, Claremont, intimating that Mr. G. H. Dunn, a Councillor, had been deputed by the Council to give evidence before the Commission on the subject of electric lighting.

The Commission deliberated.

SIXTY-FIFTH MEETING.

Friday, 8th August, 1902, 10·30 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, STEWART.

The Minutes of the previous meeting were read and confirmed.

Mr. G. H. Dunn, representing the Municipalities of Claremont and Rondebosch, appeared at 11 a.m. and made a statement *in camera* on the subject of the position of those Municipalities in regard to electric lighting.

Dr. Gregory gave notice of motion as follows:—

"That this Commission do inform the Councils of Rondebosch and Claremont in connection with a letter from the latter, dated the 4th August, that it would be desirable to introduce into any fresh electric lighting agreement a clause providing for the event of the establishment of a combined Municipality including their areas;"

with the following alternative:—

"That this Commission do officially draw the attention of the several Municipal Councils of the Peninsula to the advisability of their not entering into any new agreements in regard to arrangements for water supply, sewerage, lighting, and other Municipal affairs without making provision therein for the event of the establishment of a combined Municipality."

The Secretary laid upon the table amended Special Census (July, 1902,) Returns for the Municipalities of Woodstock and Maitland.

The Commission deliberated.

SIXTY-SIXTH MEETING.

Saturday, 9th August, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
„ ANDERSON.	„ DE VILLIERS.
„ GURNEY.	

The Minutes of the previous meeting were read and confirmed.

The Commission deliberated.

SIXTY-SEVENTH MEETING.

Monday, 11th August, 1902, 10·30 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
„ ANDERSON.	„ DE VILLIERS.
Mr. GURNEY.	

The Minutes of the previous meeting were read and confirmed.

Dr. Gregory proposed the following resolution of which Notice of Motion had been given:—

"That this Commission do inform the Councils of Rondebosch and Claremont, in connection with a letter from the latter, dated the 4th August, that it would be desirable to introduce into any fresh electric lighting agreement a clause providing for the event of the establishment of a combined Municipality including their areas."

There being no seconder, the proposal dropped.

The Commission deliberated.

SIXTY-EIGHTH MEETING.

Tuesday, 12th August, 1902, 10·30 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. STEWART.
„ ANDERSON.	„ DE VILLIERS.
Mr. GURNEY.	

The Minutes of the previous meeting were read and confirmed.

The Commission deliberated.

SIXTY-NINTH MEETING.

Saturday, 23rd August, 1902, 10·30 *a.m.*

(Held in the Civil Service Commission Rooms, Hofmeyr Chambers).

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. LAWRENCE.
„ ANDERSON.	„ STEWART.
Mr. GURNEY.	„ DE VILLIERS.

The Minutes of the previous Meeting were read and confirmed.

Letter read from the Under Colonial Secretary intimating that the Colonial Secretary was not prepared to authorize any expenditure from public funds upon surveys of water sources.

Ordered to be published as an Appendix to the Report of the Commission.

Letters read from the Town Clerk, Woodstock, giving the history of the inclusion of Woodstock II within the Municipality, and the area and valuation of Woodstock I and Woodstock II respectively.

Mr. Gurney proposed and Mr. Lawrence seconded the proposal, which was carried unanimously, that the thanks of the Commission be conveyed to Mr. Speaker for the use of the Committee Room in the House of Assembly from 17th March to 13th August, and that an honorarium of £5 be given to the servants of the House for services rendered during that period, the money to be handed to the Clerk of the House for proportionate distribution.

The Secretary laid upon the Table the following documents:

1. Appendices to Report as finally printed up to date, comprising A to J inclusive, Appendix A being numbered 1 A to 1 M consecutively.

2. Further Special Census (July, 1902,) Returns received from the Registrar of Statistics, comprising: Cape Town by Districts and by Tenements; Woodstock I and II respectively; Robben Island; and certain Rural Areas in the Cape Division.

Resolved,—To convey to the Registrar of Statistics an intimation of the desire of the Commission to be placed in possession of the *final* Population Returns of Municipalities at as early a date as possible.

Dr. Anderson having requested permission to use figures given in the Population Returns for purposes of a Health Report then in course of preparation by him, the desired permission was accorded.

The Commission deliberated.

SEVENTIETH MEETING.

Saturday, 30th August, 1902, 11 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. LAWRENCE.
„ ANDERSON.	„ STEWART.
Mr. GURNEY.	„ DE VILLIERS.

The Minutes of the previous Meeting were read and confirmed.

Letter read from the Town Clerk, Wynberg, conveying a resolution of the Wynberg Council suggesting the desirability of amending Act 45 of 1882 so as to make it compulsory for all Municipal rates to be paid on properties before transfer.

The Secretary was instructed to acknowledge the letter and to acquaint the Town Clerk that the subject would have the best consideration of the Commission.

The Commission deliberated.

SEVENTY-FIRST MEETING.

Saturday, 6th September, 1902, 11 *a.m.*

PRESENT :

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. LAWRENCE.
,, ANDERSON.	,, STEWART.
Mr. GURNEY.	,, DE VILLIERS.

The Minutes of the previous Meeting were read and confirmed.

Letter read from the Town Clerk, Kalk Bay, conveying a resolution of the Kalk Bay Council with regard to compulsory notification of transfer of immovable property.

The Secretary was instructed in acknowledging the letter to intimate that the matter would receive the best attention of the Commission.

The Commission deliberated.

Mr. Lawrence proposed, and Mr. Gurney seconded the proposal, which was carried unanimously, that members entrusted with the drafting of sections of the Report forward their respective drafts to the Secretary, who should have the same typed and circulated amongst the members, such drafts with the annotations of the members to be thereafter transmitted to the Chairman.

SEVENTY-SECOND MEETING.

Thursday, 11th December, 1902, 11 *a.m.*

PRESENT :

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, DYER.

The Minutes of the last Meeting were read and confirmed.

The Secretary laid on the table printed copies of Appendix L of the Report, numbered consecutively L (1) to L (10), being Statements of Municipal Loans as prepared by the Financial Returns Sub-Committee.

The Commission proceeded to the consideration of the draft Report.

SEVENTY-THIRD MEETING.

Friday, 12th December, 1902, 9·30 *a.m.*

PRESENT :

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, DYER.

The Minutes of the previous Meeting were read and confirmed.

The Commission resumed consideration of the draft Report.

SEVENTY-FOURTH MEETING.

Saturday, 13th December, 1902, 9·30 *am.*

PRESENT :

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, DYER.
Mr. DE VILLIERS.	

The Minutes of the previous meeting were read and confirmed.

The Commission resumed consideration of the draft Report.

SEVENTY-FIFTH MEETING.

Monday, 15*th December*, 1902, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, DYER.
Mr. DE VILLIERS.	

The Minutes of the previous meeting were read and confirmed.
The Commission resumed consideration of the draft Report.

SEVENTY-SIXTH MEETING.

Tuesday, 16*th December*, 1902, 9·30 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, DYER.
Mr. DE VILLIERS.	

The Minutes of the previous meeting were read and confirmed.
The Commission resumed consideration of the draft Report.

SEVENTY-SEVENTH MEETING.

Wednesday, 17*th December*, 1902, 9·30 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, DYER.
Mr. DE VILLIERS.	

The Minutes of the previous meeting were read and confirmed.
The Commission resumed consideration of the draft Report.

SEVENTY-EIGHTH MEETING.

Thursday, 18*th December*, 1902, 9·30 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, DE VILLIERS.

The Minutes of the previous meeting were read and confirmed.

The Secretary laid upon the table copies of the final print of the following Appendices to the Report:

(1) Appendix K, being correspondence relative to Surveys of Sources of Water Supply;

(2) Appendix L, comprising L (1) to L (10), being Statements of Municipal Loans raised, repaid, and outstanding on 31st December, 1901.

The Secretary also laid upon the table reprinted copies of Appendix A, comprising A (1) to A (14), being Abstracts of Municipal ordinary Receipts and Payments for the period 1897 to 1901 inclusive.

The Commission resumed consideration of the draft Report.

EIGHTY-SEVENTH MEETING.

Tuesday, 6th January, 1903, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY	Mr. GURNEY
,, ANDERSON.	,, DE VILLIERS.

The Minutes of the previous Meeting were read and confirmed.
The Commission resumed consideration of the draft Report.

EIGHTY-EIGHTH MEETING.

Wednesday, 7th January, 1903, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, DE VILLIERS.

The Minutes of the previous Meeting were read and confirmed.
The Commission resumed consideration of the draft Report.

EIGHTY-NINTH MEETING.

Thursday, 8th January, 1903, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, DE VILLIERS.

The Minutes of the previous Meeting were read and confirmed.
The Commission resumed consideration of the draft Report.

NINETIETH MEETING.

Monday, 12th January, 1903, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. ANDERSON.	Mr. GURNEY.

The Minutes of the previous Meeting were read and confirmed.
The Commission resumed consideration of the draft Report.

NINETY-FIRST MEETING.

Tuesday, 13th January, 1903, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	

The Minutes of the previous Meeting were read and confirmed.
The Commission resumed consideration of the draft Report.

NINETY-SECOND MEETING.

Wednesday, 14*th January*, 1903, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, DE VILLIERS.

The Minutes of the previous Meeting were read and confirmed.
The Commission resumed consideration of the draft Report.

NINETY-THIRD MEETING.

Thursday, 15*th January*, 1903, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, DE VILLIERS.

The Minutes of the previous Meeting were read and confirmed.
The Commission resumed consideration of the draft Report.

NINETY-FOURTH MEETING.

Friday, 16*th January*, 1903, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, DE VILLIERS.
Mr. LAWRENCE.	

The Minutes of the previous Meeting were read and confirmed.
The Commission resumed consideration of the draft Report.

NINETY-FIFTH MEETING.

Monday, 19*th January*, 1903, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, DE VILLIERS.
Mr. LAWRENCE.	

The Minutes of the previous Meeting were read and confirmed.
The Committee resumed consideration of the draft Report.

NINETY-SIXTH MEETING.

Thursday, 22*nd January*, 1903, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, DE VILLIERS.

The Minutes of the previous Meeting were read and confirmed.

Mr. Advocate De Villiers put in draft Bills providing for the creation of a Unified Municipality in the Cape Peninsula and of a Rural Council in the Cape Division.

The Commission deliberated.

NINETY-SEVENTH MEETING.

Monday, 26th January, 1903, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, DE VILLIERS.
Mr. LAWRENCE.	

The Minutes of the previous Meeting were read and confirmed.

Dr. Gregory handed in the greater portion of a Minority Report containing 34 clauses, and stated that he would undertake to complete the Report within the succeeding 48 hours.

The Chairman proposed that the Report of the Commission as drafted be adopted and forwarded to His Excellency the Governor.

Carried.

Dr. Gregory protested against the sending in of the Report in the absence of any definite expression of Mr. Stewart's views on the subject and without his (the protestor's) Minority Report which was practically completed and had been laid on the Table.

The Secretary was instructed to ascertain from Mr. Stewart whether he would be in a position to sign the Report on the 28th instant in the event of the Commission being prepared to hold over the dispatch of it until that day.

The Chairman proposed that Mr. Gurney, Mr. De Villiers, and Dr. Anderson should form a Sub-Committee to finally prepare the two draft Bills forming Appendices M and N of the Report.

Carried.

A letter dated the 23rd January, 1903, from the Under Colonial Secretary, was put in, transmitting certain papers and official documents relating to the proposed Drainage Scheme being undertaken by the Municipality of Wynberg.

NINETY-EIGHTH MEETING.

Tuesday, 27th January, 1903, 10 *a.m.*

PRESENT:

Sir W. BISSET BERRY (Chairman).

Dr. GREGORY.	Mr. GURNEY.
,, ANDERSON.	,, DE VILLIERS.
Mr. LAWRENCE.	

The Minutes of the previous Meeting were read and confirmed.

The portion of Dr. Gregory's Minority Report was read.

Mr. Lawrence proposed that the Report of the Commission as adopted be forwarded to His Excellency the Governor as soon as Mr. Stewart had had an opportunity of signing it, and that Dr. Gregory's Minority Report be considered at the next Meeting of the Commission.

Seconded by Mr. Gurney and carried, Dr. Gregory voting against it.

Dr. Gregory having requested that the portion of the Minority Report put in by him might be returned to him for amendment, it was resolved that the request be complied with upon the understanding that the Minority Report when complete be forwarded through the Chairman to His Excellency the Governor.

It was resolved that such Maps, Books, Documents, etc, as had to be returned to their various owners be sent back to them forthwith by the Secretary, accompanied by a letter of thanks for their use: and that all other Maps, Books, Documents, and general records, the property of the Commission, be lodged for safe keeping in Mr. Speaker's Chambers.

A vote of thanks was accorded to Mr. Speaker for the use of the room placed at the disposal of the Commission since the 11th December, 1902.

It was resolved that an honorarium of £5 be given to the servants of the House for services rendered since that date, the money to be handed to the Clerk of the House for proportionate distribution.

A hearty vote of thanks was passed to the Chairman for the unwearying attention and unfailing courtesy displayed by him during the whole existence of the Commission.

The Chairman, in responding, proposed a vote of thanks to Dr. Gregory and Mr. Gurney, the Members of the Financial Returns Sub-Committee, for the great care taken and time expended in compiling the Financial Abstracts.

Unanimously passed.

A vote of thanks was passed to the Secretary for his assiduity and punctuality in the performance of his duties.

NAMES OF WITNESSES EXAMINED.

Andrews, John, a Councillor (ex-Mayor) of the Municipality of Rondebosch, and a Member of the Suburban Municipal Waterworks Committee.
Ball, Thomas, C.M.G., a Councillor (ex-Mayor) of the City of Cape Town.
Barnes, Alfred, Town Clerk of the Municipality of Kalk Bay.
Batchelor, William Alexander, Town Clerk of the Municipality of Rondebosch.
Beard, Henry, ex-M.L.A., a resident and Councillor of Claremont and a citizen of Cape Town.
Behr, George Conrad, a Councillor (ex-Mayor) of the Municipality of Woodstock, and a Member of the Suburban Municipal Waterworks Committee.
Bennett, Thomas, Engineer for the Municipality of Kalk Bay.
Bosman, Petrus Jacobus, a Councillor of the City of Cape Town.
Bromley, Robert, Inspector of Roads, Public Works Department.
Brown, John Louis Mitchell, M.L.A., a Councillor of the Municipality of Green and Sea Point.
Clark, George Muirhead, M.A., A.M.I.C.E., Government Electrician.
Cloete, Henry, C.M.G., Barrister-at-Law, a resident of Constantia, and a representative of the Constantia Fruit Growers' Association.
Craig, William, A.M.I.C.E., M.S.E., Assistant Engineer, Public Works Department.
Dixon, William Noble, a representative of the British Working Men's Association of South Africa.
Donnan, Hugh, a Councillor of the Municipality of Claremont, and a Member of the Suburban Municipal Waterworks Committee.
Earp, Edwin John, Mayor of the Municipality of Rondebosch.
Erskine, St. Vincent Whitshed, Government Land Surveyor.
Finch, Josiah Robert, Town Clerk to the Corporation of Cape Town.
Gillard, William Smale, Town Clerk of the Municipality of Simon's Town.
Hammersley-Heenan, Robert Henry, M.I.C.E., General Manager of the Harbour Board of Table Bay.
Hanau, Isidor, a resident of Wynberg.
Hay, William, ex-M.L.A., a resident of Green Point and a citizen of Cape Town.
Heath, Edward Henry, a resident of Sea Point, and formerly Secretary to the Joint Water Committee, Rondebosch.
Herring, Herbert, Town Clerk of the Municipality of Green and Sea Point.
Heward, Richard Henry, Engineer for the Municipality of Green and Sea Point.
Hugo, Frederick Hermanus Schundorf, Mayor of the Municipality of Simon's Town, and a Member of the Divisional Council of the Cape
Hutt, Edward, a Councillor (ex-Mayor) of the Municipality of Maitland.
Jacobs, William, a representative of the British Working Men's Association of South Africa.
Jurisch, Captain Carl Heinrich Leopold Max, Acting Surveyor-General of the Cape Colony
Louw, Thomas Arnoldus Johannes, Mayor of the Municipality of Claremont, Chairman of the Suburban Municipal Waterworks Committee, and a Member of the Divisional Council of the Cape
MacLean, Lachlan, ex-Mayor of the Municipality of Claremont, and a Manager of the Union-Castle Steamship Company
McGregor, John, Mayor of the Municipality of Maitland
Mennuir, Robert William, M.I.C.E., Engineer for the Municipality of Woodstock
Moller, Gerrit Hendrik, Auctioneer and Municipal Valuator
Moore, Reverend Frederick Bullen, Rector of Christ Church, Constantia, and a resident of Wynberg
Moore, William Edward, Mayor of the Municipality of Woodstock, and a Member of the Suburban Municipal Waterworks Committee
Myburgh, Ryk, a resident in Hout Bay, and representative of the Constantia Fruit Growers' Association
Newey, Joseph, M.I.C.E., Chief Inspector of Public Works.
Oakley, Henry Miller, a resident of Rondebosch, and a Contractor for Water Bores.
Olive, William Thomas, M.I.C.E., Engineer for the Cape Marine Suburbs, Limited.

Powell, George, a Councillor of the Municipality of Kalk Bay.
Price, Thomas Rees, C.M.G., General Manager of the Cape Government Railways.
Reid, Andrew Burnett, a Councillor of the Municipality of Mowbray, and a Member of the Suburban Municipal Waterworks Committee.
Rigby, Herbert Peter Barrow, M.I.C.E., Drainage Engineer for the Corporation of Cape Town.
Rouse, Herbert, Secretary of the Suburban Municipal Waterworks Committee.
Runciman, William, M.L.A., ex-Mayor of the Municipality of Simon's Town, and a Member of the Divisional Council of the Cape.
Saunders, Harry Percival, a Contractor for boring Artesian Wells.
Schreiner, Hon. William Philip, K.C., Claremont, formerly Prime Minister of the Colony.
Scowen, Harry Harold, Mayor of the Municipality of Kalk Bay.
Smart, George, ex-Mayor of the City of Cape Town.
Starke, Robert, a Member of the Divisional Council of the Cape.
Stewart, Charles, B.Sc., Secretary of the Meteorological Commission.
Stewart, Thomas, M.I.C.E., Engineer-in-Chief for the Reservoir Works of the City of Cape Town, Engineer for the Municipality of Wynberg, Consulting Engineer to the Municipality of Kalk Bay, and a Member of the Cape Peninsula Commission.
Stoney, Dr. William Walter, District Surgeon of Kimberley, and formerly Assistant Director of Plague Administration.
Tearnan, George William, a Councillor of the Municipality of Mowbray, and a Member of the Suburban Municipal Waterworks Committee.
Thorne, William, Mayor of the City of Cape Town.
Tonkin, Samuel, Mayor of the Municipality of Mowbray, and a Member of the Suburban Municipal Waterworks Committee.
Van der Westhuizen, Henry, Secretary of the Divisional Council of the Cape.
Vollmer, Theodore, a Councillor of the Municipality of Wynberg.
Wahl, Robert Paul Loftus, Solicitor for the Cape Marine Suburbs, Limited.
Walker, David, Town Clerk of the Municipality of Claremont.
Westhofen, Wilhelm, Engineer to the Public Works Department.
Wiener, Ludwig, ex-M.L.A., Claremont, Chairman of the Table Bay Harbour Board.
Wilmot, Hon. Alexander, M.L.C.
Wyllie, James, a Councillor of the City of Cape Town.
Wynne Roberts, Robert Owen, A.M.I.C.E., Engineer and Hydraulic Engineer for the Corporation of Cape Town.

CAPE OF GOOD HOPE.

REPORT

OF A

COMMISSION

Appointed to Enquire into and Report upon Certain Matters affecting Cape Peninsula Municipalities and the Cape Divisional Council;

TOGETHER WITH

PROCEEDINGS, MINUTES OF EVIDENCE AND APPENDICES.

Volume II.

Presented to both Houses of Parliament by Command of His Excellency the Governor.

1903.

CAPE TOWN:
W. A. RICHARDS & SONS, GOVERNMENT PRINTERS, CASTLE-STREET

1903.

[G. 21--1902.]

Cape Peninsula Commission.

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MINUTES OF EVIDENCE.

CAPE PENINSULA COMMISSION.

MONDAY, 24TH MARCH, 1902.

Present :

Hon. Sir BISSET BERRY (*Chairman*).

Mr. J. E. R. DE VILLIERS.	Mr. LAWRENCE.
Mr. T. STEWART.	Dr. A. J. ANDERSON.
Dr. A. J. GREGORY.	Mr. W. E. GURNEY.

Captain Carl Heinrich Leopold Max Jurisch examined.

Captain C. H. L. M. Jurisch. 24th March, 1902.

1. *Chairman.*] Your name, please?—My name is Carl Heinrich Leopold Max Jurisch.

2. You are acting Surveyor-General?—Yes, I am acting Surveyor-General now.

3. Do you know the object for which this Commission has been appointed, Captain Jurisch?—Yes.

4. We should like to get from you some little information as to the area and boundaries of various parts of the Cape Peninsula. You prepared this plan produced?—Yes.

5. Now will you tell the Commission whether what is generally known as the Cape Peninsula is the same as the Cape Division, or whether there is a difference between the two?—Well, the Cape Peninsula, I take it, is everything to the south-west of the Municipalities, because the other parts are called the Cape Flats.

6. The Cape Flats are embraced in the limits of the "Cape Division"?—Yes.

7. So that the Cape Peninsula is only a part of the Cape Division?—Yes.

8. Have you the area of what is generally known as the Cape Peninsula and also of the Cape Division?—Of the Cape Peninsula?

9. Yes?—No, I can get that.

10. And also that of the Cape Division?—Yes; do you want it in morgen or in square miles?

11. In morgen.—It is 200,226 morgen or 662 square miles. These figures include Robben Island. The map produced shows the boundaries of the different Municipalities, and was prepared by me. I also prepared the following return which indicates the various field-cornetcies and their extent :

CAPE DIVISION.

		Morgen.	Sq. Miles.
F.C.	Wildschuts Brand	13,501	44
,,	Simonstown East	1,020	3
,,	Do. West	200	0·6
,,	Eljes River	2,790	9
,,	Noordhoek	9,800	32
	Kalk Bay	1,620	5
,,	Diep River	2,660	9
,,	Wynberg	2,700	9
,,	Constantia	9,800	32
,,	Newlands	3,020	10
,,	Rondebosch	980	3
,,	Papendorp and Woodstock ..	2,300	8

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		Morgen.	Sq. Miles.
F.C.	Liesbeek	2,800	9
,,	Tygerberg and Kuils River ..	8,996	30
,,	Durban	7,165	23·5
,,	Palen en Riet Vlei	20,200	67
,,	Blaauwberg	26,900	89
,,	Koeberg No. 2	21,400	71
,,	Koeberg No. 1	15,500	52
,,	Downs No. 2	12,400	41
,,	Downs No. 1	30,300	100
		196,052 morgen or	647·1 sq. miles.
No. 1 F. Cs.	Cape Town and Robben Island	+ 4,174 or 14 sq. miles.	
		200,226 morgen = Cape Div.	
		or 662 sq. miles = do. do.	

12. Now, the area of Cape Town, can you tell us what that is?—The Municipality of Cape Town comprises 2,896 morgen.

13. Is there in Cape Town what is usually called pasture land or commonage?—Yes, that would be partly Table Mountain and the slopes to the West.

14. And this is included in the area which you have just given?—Yes, everything is included within the boundaries of the Municipality.

15. Then the whole of that is scarcely a habitable area?—No.

16. You will not be able just now to tell us the extent which is built upon, or that is alienated?—Can you say how much is alienated to private owners?—Yes, but I would require time for that.

17. But there would be a good deal of land which is not included in what would be called the Municipality proper?—Oh no, everything is included in the Municipality. A certain area is placed under the jurisdiction of the Town Council, and out of that area there are a large number of holdings which have been alienated to private owners; but of course the whole of the Municipality of Cape Town is so to say private property, because the land is vested in the Municipality by the Act.

18. But it is not all alienated to private owners?—No.

19. But you cannot give us the extent of the alienated land as compared with the other?—No.

20. Are the boundaries of the two fixed; that is to say, is the extent of land which is alienable separate from the land which is commonage? Are these boundaries fixed by Government Notice, or are they variable in accordance with the regulations of the Municipality?—Everything in the Municipality is alienable.

21. Now about Sea Point and Green Point, have you the area of that?—Yes, Green Point and Sea Point are 619 morgen.

22. Is there any commonage attached to that?—Yes.

23. Could you say how much is alienated?—No.

24. Could we get these figures from you later on?—I doubt it, because the Town Council may have alienated some that I am not aware of. You had better refer to the Council for that.

25. Have you the area of Woodstock? - 760 morgen.

26. Is there commonage to Woodstock as well?—Yes.

27. And Mowbray?—Yes, they are all marked on the map. Mowbray has 740 morgen, including commonage. Rondebosch has 1,034 with commonage. Claremont has 1,600 morgen. Wynberg has 1,688 morgen. Kalk Bay has 4,240 morgen. Simonstown has 1,483 morgen, and Maitland has 928 morgen. Then another Municipality—Durbanville—which has lately been proclaimed, has 1,050 morgen. I may say there are no Village Management Boards in the Cape Peninsula; they are all Municipalites. There are, however, little villages, or rather little places as, for instance, Hout Bay, which has been placed under Part I. of the Police Offences Act. Then there is Philadelphia which has nothing. Another small place called Belville which is near Durbanville, but there is no record of any Village Management Board being in existence at either of these places.

28. Anything about Camp's Bay?—No, that is hardly a village yet, though it will be soon.

29. Now, can you tell the Commission whether there is any procedure by which

private ownership of land is brought within the control of the municipality? What I mean is this: supposing land has been alienated which is situated just on the boundary of one of these municipalities, and not subject to the municipal regulations at the time?—The moment that it is brought within the limits of the municipality it becomes subject to the regulations.

30. How is it taken over then?—By the proclamation.

31. There has been a lot of land sold lately which is cut up into small allotments?—Yes.

32. Has it is not gone through your office yet?—No; only as far as diagrams are concerned, they are examined in my office for the purposes of transfer.

33. Has there been a great increase within the last six months in that respect?—Yes; It has so far been a record year for the Deeds Office. This question really belongs more to that Department.

34. In what part of the Cape Peninsula has that taken place mostly?—I am not prepared to say just now, but I think everywhere—Flats and all over.

35. But no land which would be called commonage belonging to any of these municipalities is alienated in that way as far as you know?—Not to any great extent; I would only know in so far as these applications are referred to my office for report.

36. Can you tell us if the various municipalities have any authority to alienate any part of their common pasturage land to private owners?—Well, they cannot alienate of course unless they have the title themselves. Cape Town Municipality has the power to alienate, but this they cannot, however, do without the consent of the Governor.

37. Does that apply to all the municipalities?—No; Woodstock has that privilege in so far as the first proclamation is concerned; but afterwards the boundaries of the Woodstock Municipality were extended, and the condition was that the extended municipality have not the right to alienate because that land is not vested in them by the Act. Up to a certain extent they can alienate within the limits of the old municipality.

38. But they must first get title?—If they have title they only require the consent of the Governor.

39. Is Woodstock the only other municipality in the Cape Peninsula which is in that position?—No, Kalk Bay is in a similar situation, and I am not certain whether Wynberg is not the same, but I will ascertain and let you know later on.

40. *Dr. Anderson.*] There is a certain part of the Cape Peninsula which comes under the municipalities, and the part outside that is governed by the Divisional Council?—The whole division outside the municipality comes under the Divisional Council.

41. Then the boundaries you gave are those of the Cape Division?—The boundaries are defined by proclamation. It is not the whole Cape Division which is given on the map produced here, I think.

42. *Mr. Stewart.*] Do I understand then that there is no hard and fast boundary for the Eastern side of the Cape Peninsula, dividing it?—No; the Cape Peninsula is the locality which is only known, so to say, locally, but I do not think the boundary is defined anywhere.

43. Then can we take it roughly that this forms the Eastern boundary of the existing municipalities—a line from Wynberg to Zeekoe Vlei?—Yes. Cape Peninsula is a vague name.

44. Well, roughly for our purposes we may take it that the Eastern boundaries of the various municipalities may be considered as the boundary of the Peninsula?—Yes.

45. Can you give us any idea of the area between the Eastern boundary of which I have just spoken, and the foot of the slopes of the mountain from Muizenberg to Cape Town, which would be suitable for building purposes?—Well, I could calculate roughly.

46. Who lays down the boundaries of the municipalities in the first instance?—Well, the local bodies make an application to the Government to have it proclaimed a municipality and then the boundaries which they propose are investigated, and evidence is taken to see whether it is a fair and reasonable proposal, and then the boundaries are proclaimed, the Government formulating the proclamation.

47. Is it the Government who investigates the rights and wrongs of a proposed boundary? I mean when there is any question about it?—Yes.

48. Then in case of a dispute between two municipalities, I understand the Government steps in?—Yes, we have had such an instance at Maitland. There was some opposition to the proposed boundaries, and a Commission was appointed. That

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Commission investigated the *pros* and *cons*, and made a recommendation to the Government.

49. Did that Commission consist of local men appointed by the Government?—Yes.

50. Then the practical decision rests with the Government?—Yes, the Commission reported to the Government.

51. Have the existing boundaries of the municipalities been laid down according to any fixed principles, such as are connected with the shape of the boundary and its suitability for water supply and drainage?—Yes, that is considered when the proposition for these boundaries is made.

52. Who considers and advises that?—The Commission, if it is found necessary to have one appointed, which is usually done when the question is not so clear, and beyond doubt that it could be settled at once by proclamation. In case a commission is appointed they consider all the *pros* and *cons*, taking into consideration at the same time the questions of water supply, drainage, &c.

53. In some of the municipalities the centre of the street is taken as the boundary between them; can you give us any special reason for taking the centre of the street?—No, I could not.

54. I will illustrate my reason for mentioning this by taking the case of the Wynberg and Claremont municipalities. Claremont is on the one side of the street, and Wynberg on the other. Each municipality wants a drain?—It may be that they want the middle of the road, so as to give each one the right to lay pipes down, but I cannot give the reason for certain.

55. But you see this division would result in a double expenditure?—I am not prepared to answer that.

56. Can you give me the length of the boundary of Woodstock Municipality, which coincides with the boundaries of the municipality of Cape Town?—Yes, that can be done, but I have not got the figures here now.

57. Can you supply us with similar information for the other municipalities?—Yes, but that can only be approximately given.

58. Information such as the length of the boundaries of one municipality, coinciding with the other municipality, compared with the total length of the boundaries of the municipality?—Yes, I can give you that.

59. *Chairman.*] Are there any other areas under the Villages Management Act in the Cape Division?—No, the last two—Durbanville and Maitland—have been disposed of by constituting them municipalities.

60. No others besides, from whom applications have come?—No.

61. Do you know anything about the area through which the Steenbras River runs?—I have been there myself.

62. Is that Crown land?—No, it is mostly private property.

63. But does the river through the whole of its course run through private property?—I will have to consult my plans in order to answer that.

64. The pink on the map indicates Crown land, does it not?—Yes, the plan explains the case.

65. At any rate, as far as you are aware, the Steenbras River runs entirely through alienated land, and not through Crown land at all?—The map indicates some Crown land near the mouth of the river, but the greater part of the land through which the river flows is private property.

66. Now, that part of the country known as Oliphant's Hoek; are you personally acquainted with that, and is there any Crown land there?—I am not personally acquainted with it, but there is Crown land on the mountains.

67. Does the name Oliphant's Hoek appear on the map, or is it perhaps indicated there by any other name?—It is generally known by the name of French Hoek, and the river by the name of French Hoek River; it is also known by that of Berg River.

68. We take it that those are merely other names for that of the Oliphant's Hoek River?—No, there is no river called Oliphant's Hoek River. The river is called the French Hoek River, and more to the west it is phrased the Berg River.

69. What is the name of the river that has been spoken of as a possible source of a water supply for some of the municipalities?—That is the Berg River.

70. And it runs principally through private property?—No, the Berg River is more on Crown land; it passes two private farms in the mountains and then flows on until it meets the French Hoek River; then the river runs through a strip of Crown land.

71. Do you know the tract of country through which the Twenty-four Rivers runs?—I have some knowledge. The course is indicated on the map. I may add that with regard to the supply of water from the Berg River, I think by far the best supply would be from Wemmer's Hoek. That spring—a tributary of the Berg River—has

an abundant supply of beautiful clear water, and yields, I should say, millions of gallons. It is on private property at Wemmer's Hoek, and I know the locality well personally. I also consider that the expropriation of riparian rights there would not meet with so much difficulty as would have to be faced at French Hoek, as at that place there are a great many holdings which are dependent upon the water.

72. Those springs find their way eventually into the Berg River?—Yes, there is the one spring, I speak of especially, which has never been known to fail or to get weaker in any way. It is of a uniform strength, always the same and has an abundance of beautiful clear water. That is the Wemmer's Hoek.

73. Do you know of any measurements which have been taken?—No, but I consider the stream would fill a pipe about one foot in diameter.

74. Do you know the altitude of the land there?—It is considerably high, but I don't know the exact height.

75. It is not indicated on the map?—No, but it would certainly gravitate to Cape Town.

76. Now with regard to the country through which the Twenty-four Rivers passes?—It is a tributary of the Berg River.

77. Where does it take its rise?—In the Langeberg Mountains.

78. The source of the rivers are not indicated?—No; it is in the Winterhoek Mountains, in the Langeberg range.

79. In what Division?—In the Division of Tulbagh.

80. Now is there any Crown land in that neighbourhood?—Yes, there is Crown land in the Winterhoek Mountain, but down the valley it is all private property.

81. *Dr. Anderson.*] Where about is Wemmer's Hoek?—The Wemmer's Hoek valley lies a little to the north of the Oliphant's Hoek River. It runs dead, you cannot proceed through it, and is virtually a *cul-de-sac.*

82. What distance is it from here?—It is close to the Paarl.

83. *Mr. Lawrence.*] Is that Wemmer's Hoek?—Yes.

84. *Mr. Stewart.*] Where does the water of the Wemmer's Hoek go to?—It falls into the Berg River.

85. And what is the distance from the Wemmer's Hoek to the sea along the Berg River?—I could hardly say.

86. I suppose there are farms down the valley of the Wemmer's Hoek, and they take their water from the Berg River?—No, the farmers in the Wemmer's Hoek of course take their water in that locality.

87. They take out water along the course of that river?—Yes, but there are numerous tributaries.

88. And have they riparian rights?—Yes.

89. Where does the water from Twenty-four Rivers go to?—That also falls into the Berg River, but much lower down.

90. Are there farms along that river?—Yes.

91. And the owners have riparian rights?—Yes.

92. *Mr. Lawrence.*] The Steenbras River is in the division of Caledon to the East of Sir Lowry's Pass, just over the Nek?—Yes; the river has its course behind the mountain and runs parallel with it to the sea.

93. *Mr. De Villiers.*] You would impound this water at Wemmer's Hoek, before it falls into the Berg River?—Yes; there are great facilities for building a reservoir.

94. Is very much of the water from Wemmer's Hoek used for irrigation?—No; I do not think so.

95. But do not all the owners use it?—Yes; but all the owners have an abundance of water.

96. If all the water were impounded would not the farms go to ruin altogether?—You need not of necessity impound all the water, there are several tributaries.

97. But the other scheme—the Oliphant's Hoek one—is not the same as the Berg River Scheme?—Yes, it is all the same; the Oliphant's Hoek or the Wemmer's Hoek; it is all the same scheme.

98. *Mr. Lawrence.*] What I want to get clear is this: the Twenty-four Rivers is much lower down the Berg River than the Oliphant's Hoek. The one is in the Tulbagh Division and the other in the Paarl Division. The distance to Twenty-four Rivers would be much greater than to Oliphant's Hoek?—Yes, very much.

HURSDAY, 10TH APRIL, 1902.

Present :

Hon. Sir BISSET BERRY (*Chairman*).

Dr. A. J. GREGORY.	Mr. T. STEWART.
Dr. A. J. ANDERSON.	Mr. J. E. R. DE VILLIERS.
Mr. W. E. GURNEY.	Mr. T. N. DYER.

Captain Carl Heinrich Leopold Max Jurisch further examined.

Captain *C.H.L.M. Jurisch* — 10th April, 1902.

99. *Chairman.*] Can you tell us now the answer to the question put to you when you were before the Commission on the last occasion, as to the proportionate areas of the Cape Peninsula and the Cape Division as they were then defined?—The area of the Cape Peninsula (of course it can only be given roughly) is 56,576 morgen; that is taking the boundaries of the Cape Peninsula roughly as the Eastern boundary of the municipalities.

100. Now with reference to question No. 12, put to you on the same occasion, when the area of Cape Town Municipality was given as 2,896 morgen; can you tell us how much of this area has been built upon?—I will give the area which is in private hands or occupied by private owners, for it is not all built upon, as gardens are in most cases attached to the houses, but the area appropriated for building purposes is 1,046 morgen.

101. At the present time?—Yes, at the present time as far as I can ascertain, and 1,850 morgen is still open municipal land.

102. I notice here upon a plan drawn by Mr. Dunscombe that in 1891 he gives the area built upon as 682 acres, and the area capable of being built upon as 1,100 acres, making in all 1,782 acres?—Naturally the Town has increased since.

103. You say the area built upon is 1,046 morgen?—Yes.

104. So that the difference between the two would show the extent to which the Town has grown in the interval?—Yes, that is assuming that Mr. Dunscombe was right.

105. With regard to question No. 45, put to you on the previous occasion, can you give us any idea of the area between the eastern boundary of which I have just spoken, and the foot of the slopes of the mountain from Muizenberg to Cape Town, which would be suitable for building purposes?—The area is 6,776 morgen, but this is only very roughly computed, because the "foot of the mountain" is a very ill-defined term.

106. That is capable of being built upon?—Yes; I wish to add that last time I was here I was not quite certain whether waste land within the Municipality of Wynberg is vested in the Municipality, and I am now in a position to say that it is so vested under Act No. 34 of 1887.

107. There is another question, put to you I think by Mr. Stewart, as to the length of the boundaries?—Yes.

108. We want the boundary of Woodstock coinciding with that of Cape Town?—Yes, that is 530 roods.

109. And similar information with regard to the other municipalities?—I am prepared to give that: Woodstock and Maitland, 930 roods; Woodstock and Mowbray, 550 roods; Mowbray and Maitland, 150 roods; Mowbray and Rondebosch, 1,100 roods; Rondebosch and Claremont, 1,650 roods; Claremont and Wynberg, 1,250 roods; and Green Point and Sea Point on the one side and Cape Town on the other, 2,000 roods. Then with regard to the further information required by Mr. Stewart as to the ratio the common parts of the boundaries bear to the perimeter of each Municipality, I can supply the length of the perimeters of the following Municipalities: Green Point and Sea Point, 3,100 roods; Cape Town, 7,800 roods; Woodstock, 2,850 roods: Maitland, 3,700 roods; Mowbray, 3,200 roods: Rondebosch, 4,150 roods; Claremont, 5,350 roods; Wynberg, 5,300 roods; Kalk Bay, 10,700 roods; and Simonstown, 7,850 roods. For the information of the Commission I may say that a rood is equal to 12 Cape feet, or to 12·396 English feet. If you will permit me, I wish to draw the attention of the Commission to this tracing, which I had prepared for its use. From this it appears that the Wemmer's Hock River's source goes beyond the closing up

of the mountain; this is not correct. These mountains are very rugged, and have never been surveyed; but I know from personal inspection that the valley is closed at its upper end by the Wemmer's Hoek Mountains, and the water comes from inside that valley. The spring I spoke of in my first evidence is not given on the diagram, or on the plans in my office, but I gave the information from memory.

110. *Mr. Gurney.*] You said that the area of the Cape Town Municipality was 2,896 morgen, of which 1,046 had been built over?—Yes.

111. But the remaining 1,850 morgen is not all available for building purposes?—No; it would not be all available because the area extends to the sky-line on Table Mountain.

112. What proportion of the 1,850 morgen is not available?—It all depends upon the extent of expense to which a man is prepared to go to build a house, because he can build a house almost anywhere if he chooses to go to the expense connected with it.

113. But a large proportion, I take it, of the 1,850 morgen is outside of the mountain?—Yes, it includes Lion's Hill; a good proportion of that would be available for building purposes.

114. One-third, do you think?—I am not able to give the proportion.

115. *Mr. Stewart.*] You mentioned, Captain Jurisch, that owing to the "foot of the mountain" being rather an indefinite term, it is difficult to give the exact area between Cape Town and Muizenberg; can you give us any idea of the height of the foot of the mountain, as referred to by you, above the sea level? Is it 300 feet?—No, I could not.

116. But there are few houses, except in Cape Town, above 300 feet?—Yes, a good many; many years ago I determined the height of a house in, or near, Prince Street, and that was two hundred and sixty feet above sea level.

117. Except in Cape Town, I say?—Yes, if you except Cape Town, there would be few, but in Cape Town there must be a good many buildings higher than that above sea level.

118. As a matter of fact that is proved by the height of the reservoir supplying them with water?—Yes.

119. Do you think the Municipalities will be in a position to give us the proportion of their property built on, and the land which may be built on hereafter?—Well, that is a matter which is in the hands of the Town Council.

120. I merely ask you whether you happen to know whether they have the necessary data to supply such information to the Commission?—No, but I think they should have that information and could give it without much difficulty.

121. *Chairman.*] Is there within your cognizance any river, or stream, or source of water within say one hundred miles of Cape Town that we have not yet mentioned?—I have no personal knowledge of any considerable sources of water supply, besides those already mentioned.

122. We had it pointed out, or rather we discussed with you three sources: the Steenbras River, the Wemmer's Hoek River and the Twenty-four Rivers; now can you mention any other river or stream within a hundred miles of Cape Town which might be a source of water for the Municipalities?—I cannot think of any that would be available.

123. As far as you know, at any rate, there is none?—No.

124. *Dr. Gregory.*] With regard to all the rivers you have mentioned in your evidence, the main source of each of them is on Crown land, is it not?—The Wemmer's Hoek is certainly on Crown land; the Steenbras River appears to rise on private property.

125. *Chairman.*] That is what you said the other day, that the only portion of Crown land near the Steenbras River was at its mouth?—Yes; and the Steenbras River passes through a piece of private property which is here marked "forest." The Twenty-four Rivers rise in the Winter Hoek mountains, I believe.

126. Is the source of that river not shown on the map produced?—No, it is not.

127. Can you supply the Commission with a map on which the source is shown more fully than on this one?—Yes, I can do that.

128. *Mr. Stewart.*] May I ask you what you mean exactly by source?—Well, the source is where the main river rises; of course there are tributaries immediately after the rise of the river; for instance, in the Wemmer's Hoek, the source of the river is in the mountain, and to my knowledge there are about five tributaries falling into the river near its source.

129. But does that mean that the source is the principal supply?—No.

130. The main supply of the water may come from other sources altogether?—Well, that will have to be settled by an inspection, I should say; of course the quantity

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of water in the Wemmer's Hoek River or any other river would depend on the source and the tributaries, but it sometimes happens that the tributary supply is stronger than the source of the original river.

131. Then the catchment area may be much more important as a means of water supply than what is regarded as the source of the river; the water which runs off from rain, I mean, may be much more important than the perennial stream?—That may be so.

132. *Dr. Gregory.*] Practically, from your evidence I take it that the locality where the Wemmer's Hoek River takes its source is on Crown land, and can easily be protected?—The Wemmer's Hoek is favourable to a water scheme, as very few farms are dependent upon it.

133. But how about the main source of the river? As the Wemmer's Hoek is on Crown land it can be permanently protected from pollution?—Yes, it can be permanently protected, but of course it may be polluted lower down where it passes the farms.

Mr. R. H. Hammersley Heenan, M.I.C.E., examined.

Mr. R. H. Hammersley-Heenan.

134. *Chairman.*] Your name, please?—My name is Robert Henry Hammersley-Heenan.

134 (a). And you are General Manager to the Harbour Board?—Yes, at Cape Town.

135. How long have you been that?—Since the 1st November last, I think.

136. And before that you were Engineer-in-Chief to the Harbour Board?—Yes.

137. How long had you been Engineer-in-Chief?—About two years.

138. And previous to that you had a similar appointment at Port Elizabeth?—Yes, I was Engineer-in-Chief and General Manager there.

139. And before that at East London?—Yes, as in railway service.

140. So that for many years you have been engaged in engineering work connected with Harbours?—Yes.

141. I want to ask you first about the water supply for the Docks estate in Cape Town?—Yes.

142. You get your water supply from the Corporation in Cape Town?—We receive all our supply from the Town Council.

143. Can you tell the Commission how much you received last year?—I can: for shipping purposes we received 29,340,000 gallons, and for other purposes 33,349,000 gallons.

144. Can you give the total?—I have not got the total ready.

145. It will be about sixty-two millions?—Yes, I find it comes to 62,690,420 gallons exactly.

146. Is that supplied by meter?—Yes, that is supplied by meter.

147. I notice in the Mayor's minute he gives the supply at seventy-seven million gallons, that would be fourteen million gallons more than you give?—Well, the figures I have given are the exact figures we have been charged for, and I do not suppose they will give us more water than they charge us for.

148. These figures in the Mayor's minute are for 1901?—There must be a mistake somewhere.

149. I see the quantity varies every month?—Yes.

150. And during what months of the year do you require most water?—Well, it is very difficult now to form an idea.

151. For shipping purposes say?—For shipping purposes, towards the end and the beginning of the year.

152. You mean the calendar year?—Yes.

153. That is generally the very driest time, and then you require the greatest supply?—Yes, I can put in a statement showing these figures, if it would be of any use to the Commission.

154. Now, what does that cost the Harbour Board?—We pay two shillings per ton of one hundred gallons for the water for shipping purposes; for other purposes we pay twenty-five shillings for 36,500 gallons, or 1s. 2·794d. per 1,000 gallons.

155. This is practically the same rate at which the Corporation supplies water to the ordinary consumer?—Yes, it is the same rate.

156. Have you been taking more water lately?—Oh, yes, since the war began.

157. Can you give the Commission any idea of the annual increase for the last five years?—Yes, I can supply that. I will put in a statement showing the figures.

[Statement put in.] If there is anything in addition that the Commission will require, I shall be glad to supply it.

158. Does that show prospective increases?—No, I will make a statement with regard to that.

159. That statement shows increases during the last five years?—Yes.

160. What are the prospective requirements of the Harbour Board?—I estimate the present requirements for the next five years at from ninety million gallons to one hundred million gallons.

161. Ninety million gallons with a gradual rise to one hundred million gallons?—Well, with the fluctuations of trade which may increase and the various works, together with a great many elements of that kind which are taken into consideration also.

162. From that you have made an estimate for the needs of the Harbour Board?—Yes, the annual average for a number of years has been about $\frac{1}{6}$th proportion of water used and water supplied for shipping. If you allow one-sixth it would fairly allow for the increased consumption due to the legitimate advance of the trade of the port.

163. Would that cover both requirements for shipping and other purposes?—Yes.

164. Do you use water for flushing, and also for sanitary purposes?—Yes.

165. And that is included in the estimate?—Yes, and we use a very large quantity of salt water also.

166. Have you experienced any difficulties in getting your supply of water?—Yes, very serious difficulty recently.

167. In what way?—The water was cut off at the main for certain hours of the day, and the works at the Docks had to be practically stopped for the time being.

168. What works?—All the engineering works in connection with the business of the Harbour, that is to say, the stone crushing machinery was unable to work, and no water could be supplied to the shipping people at certain hours of the day; and perhaps the most serious thing of all was that the electric light had to be put out, even at the New Somerset Hospital, and also at the Breakwater Convict Station on one or two occasions.

169. Was that because you could not get sufficient water for the boilers of the engine?—Yes.

170. Does that apply to this year or not?—That happened within the last three months.

171. Have matters improved again since the rains began to fall?—Yes.

172. So that we may take it that the tendency of your evidence in this connection is that as the drought advances your difficulties at the Harbour increase?—Yes.

173. Have you remonstrated with the Corporation about that?—Most emphatically, yes.

174. Correspondence I suppose has taken place between you?—Yes, some.

175. Can you put in some of it for the information of the Commission?—Well, I do not see at all why it should not be put in, and as the Harbour Board has authorised me fully to represent them here I will put it in if you wish it.

176. I suppose it will appear from that correspondence that you were repeatedly asking for more water than you were getting?—Yes, and pointing out the very serious risks we were running through not having the water.

177. At present you know of no other means of getting your supply than from the Cape Town Corporation?—No, they are the only people who have the water to supply. There are of course other schemes talked of.

178. I suppose their reason for not giving you all you needed was the requirements of the inhabitants of the Town?—Well, I think the reason was that they used to conserve the water by closing down the reservoirs at certain hours of the day, and the Harbour was included in the general scheme.

179. So that at certain hours of the day you had no water?—Not a drop in the pipes.

180. And also I suppose certain hours of the night?—Yes.

181. And you were very much inconvenienced in consequence?—We were very seriously inconvenienced. Of course, things cannot be allowed to go on as they have; if the Board is to discharge its functions in a proper manner it will be obliged to do something.

182. Do you mean the Harbour Board?—Yes, for instance, we are laying down a large electric plant to work the machinery at the Docks, including electric cranes, and an abundant and constant supply of water is an absolute necessity

183. That is to say that unless the Corporation can give you the supply you require you will seriously have to consider an independent supply?—For certain.

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184. Have you thought of any such independent supply?—I have discussed the matter with the Railway Department and, of course, with the Board, to see what can be done in that direction.

185. Have these discussions shaped to such definite conclusions that you could indicate them to the Commission?—No, no decision has as yet been come to.

186. But the matter has been talked of?—Yes.

187. *Dr. Gregory.*] You say that the quantity now is about sixty-two million gallons which you require, and that it increases about one-sixth every year?—Yes.

188. Would not that mean about one hundred and three million gallons in about the fifth year?—How?

189. You stated that you estimated from ninety million gallons to about one hundred million gallons?—Yes.

190. Then that is somewhat an understatement?—Very little.

191. No, but an increase of one-sixth would be a little overstatement?—Yes, slightly; it varies a good deal.

192. Then we would be safe in taking it that at the end of your fifth year you would be using about one hundred and thirty-three million gallons?—I should say from one hundred million to about one hundred and twenty million gallons, but this is only approximate—a good deal of guess work of course.

193. The charge for shipping is two shillings per hundred gallons?—Yes, that is by the Town Council.

194. What does the Board charge?—Three shillings.

195. Do you consider that, from your knowledge of Dock administration, a fair charge?—Very excessive, in my opinion.

196. What do they charge at Port Elizabeth for water to the shipping people?—I am speaking from memory, but I think four shillings and sixpence per thousand gallons. It was supplied to the shipping people at the same price as the Board paid for it, except when it had to be lightered to the ship. If a vessel comes alongside there is no special charge made for the water.

197. Then at Port Elizabeth it is about four shillings and sixpence per thousand gallons and the Board makes no profit on it?—Well, I am trusting to my memory on that point, and I would prefer to put in a memorandum. Here we reckon two hundred gallons to the ton which is very confusing, but at Port Elizabeth it was different.

198. What is the charge at East London?—I don't know at all.

199. You don't remember that?—No.

200. Is it your experience that ships prefer not to take water at Cape Town?—Well, I suppose they prefer getting it cheaper, but with them it is Hobson's choice; they have to take it.

201. Why does the Board make a charge of 50 per cent?—Because the Board has to supply all the paraphernalia for supplying the ships. An allowance must be made for the wear and tear of the hoses and pipes, and the leakage in the hoses which is inseparable from such a business as that.

202. But they must have the same expense at Port Elizabeth if your memory serves you, and they don't charge anything extra for that?—No, at Port Elizabeth, they have not the same expense, and not half the waste; the water is taken at one place, and consequently there is very little hose used, but here we have great lengths of it. If all this is carefully considered it will be found that the extra charge by the Board is nothing to speak of at all.

203. *Chairman.*] Here your charge is seven shillings and sixpence in the Bay, but that is not at the Docks?—Yes, for the same quantity.

204. *Dr. Gregory.*] Twelve shillings and sixpence at Port Elizabeth, and that is actually taking water alongside, that is all you can say?—On that point I would like more time before you take my evidence down.

205. You speak of the large consumption of water for the electrical plant?—It is not such a very large consumption after all.

206. It is not possible to use sea water?—Not desirable, certainly.

207. *Mr. Gurney.*] This trouble of the lack of water is not a new matter this year?—It has always been a difficulty as far as I understand; it certainly has been since I have been in charge,

208. Has the Town Council promised you any redress, or promised that it would not occur again?—I don't think they have committed themselves to any opinion upon that subject at all.

209. *Mr. Dyer.*] I suppose in reality it was the drought that caused the shortage on this occasion?—Well, I should think so.

210. You have no idea that there was any doubt of the object of the Town Council in depriving the Harbour Board?—Oh, no, I must in justice to the Corporation say that they have done everything to assist me.

211. You said that for flushing purposes water was used; would it be possible to do all the flushing with sea water?—Yes, such a scheme has been under discussion.

212. Would that cause much saving, do you think?—Well, the water will require to be pumped, and there are other objections to it.

213. But do you think it will cause much saving?—I don't think so.

214. *Mr. Stewart.*] You have stated that it is a great drawback to the Docks to be without water?—Yes.

215. In view of that, has the Harbour Board ever attempted to arrive at an agreement with the Town Council of Cape Town, or any other body, to get a certain supply of water?—I am not aware of it, it may have been done before I was appointed.

215(a). But considering the importance of a certain supply of water, is it not desirable that the Harbour Board should have some definite agreement with somebody to supply this water?—It is desirable that the Harbour Board should be in a position to be absolutely certain of their supply, and steps towards that end should be taken, in my opinion.

216. But without an agreement of this sort do you think it is fair to any public body to expect it to keep a supply of water for the Harbour Board on tap, and not to be able to sell it elsewhere?—I don't quite understand the question.

217. If you have no agreement, the Cape Town Council, or any other Town Council, is not bound to supply you with water?—They have an intimation to supply the Board with water.

218. But have you no agreement whatever?—That I cannot say.

219. Are you any different from any private consumer in Cape Town?—Not that I know of.

220. Can you give me any idea of how much water your natives use per day, and your white men also?—I am afraid I cannot do that, but I can give you afterwards the number of whites and natives employed and so on.

221. I understand from you that the charge made to the shipping people is very high in your opinion?—Yes, but as far as the Board is concerned it cannot be supplied at a cheaper rate.

222. Do you think that in the event of entering into an agreement and taking a definite quantity of water, and paying for it whether you use it or not, you would be in a position to get it at a lesser charge?—Well, that would greatly depend upon the terms of the agreement, and upon the accuracy of the data upon which the agreement was based; if the estimate upon which it was based were correct, then I think such an agreement would be favourable to the Board.

223. Of course the charge of ten shillings for a thousand gallons is very high, and one wants to get at a basis upon which it has been made; if you have no agreement you must not be astonished if they charge you a very high rate for a few months?—Yes, that is so.

224. Then your charge seems very high for the water; now, would it not be possible to get appliances at the Docks by which the water could be supplied to the shipping people at less cost than what it is now?—No; at present I do not think it is possible—not until the Docks is sufficiently and properly equipped.

225. What pressure do you require at the Docks in order to give you the necessary pressure for the working of your scheme?—For what purpose do you mean, for supplying the ships?

226. The general supply for your population and your works, including the ships?—I think now we have only a head of about twenty feet. We have a reservoir of our own. The water runs into this and is then distributed from it, and that has, I think, twenty feet head.

227. But is that sufficient for you?—No, I should like to have more.

227(a). I am asking you that question?—Well, I should like to have more head.

228. Cannot you get your supply from the Molteno reservoir?—We do at times get our supply from there direct, but as I say when the water is cut off we have to conserve it in our reservoir while it runs in order to be able to use it when the main is shut down.

229. Would the pressure from the Molteno reservoir be sufficient for you?—Yes.

230. *Chairman*]. There is a direct pipe?—Yes, I believe so.

231. *Mr. Stewart.*] You referred to the stoppage this last dry season, how long did that continue?—For about six weeks, I think, off and on.

232. Were you able to resume your electrical plant within that time?—Oh yes; the electric light was not continuously shut off; it was uncertain and that was the annoying part, for instance, the light had to be shut off from the New Somerset Hospital and the Convict Station, which must have caused very serious inconvenience,

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if not danger to the Convict Station, where the guards on duty had only the electric light to go by. It was so uncertain.

233. Can you give us any idea of the number of times you were deprived of the use of the electric light through want of water?—Three or four times.

234. Are you aware that your shortage was perhaps due to the want of water in the mains, through the pipes being out of repair?—It was due entirely to the water being shut off.

235. In the event of water being supplied at high pressure for hydraulic power, would the Harbour Board be inclined to use it, or would they prefer to have electric power?—Well, we have adopted now the electric power system.

236. *Chairman.*] Are you working hydraulic power now?—No.

237. *Mr. Stewart.*] Have you ever applied to the Town Council to give you the required pressure?—No.

238. I may take it that as you have not sufficient water pressure for hydraulic power you have adopted electric power, but you might still consider the other?—Yes, if we had water under proper control and at high pressure it would be a very good thing.

239. *Chairman.*] In connection with the charge it was rather hinted that it was an unreasonable one, I notice that at a special meeting of the Town Council, the Ex-Mayor, Mr. Ball, has it at thirteen pence per thousand gallons; they could not very well sell it for less to you?—The excessive charge that I refer to is the charge for shipping purposes, which comes out at ten shillings per thousand gallons.

240. That is what the Board charges?—No, that is what the Town Council charged the Board; just ten times, or almost ten times as much as it cost them.

241. Why do they charge so much for shipping purposes?—Well, that is a matter for the Town Council to answer.

242. Did you protest to the Town Council?—Yes.

243. Because the ships are considered as outsiders?—Well, I suppose that is the idea; it is purely a Town Council matter; I consider the charge a very high one.

244. It is ten times as much as what they charge you for other purposes?—Yes, very nearly.

245. *Dr. Gregory.*] Have you had your water restricted in previous years?—Not while I have been here, but I have been here only for two years.

246. As far as you are aware, it is not this particular year of drought that has caused it?—No, I have been advised by my staff that they were never certain.

247. Can you put in your agreement with the Town Council if any exists?—Yes, if it exists I will put it in.

248. The Town Council know your requirements perfectly well by now, so that should cause them no difficulty?—Oh, there is no difficulty on the score of their not knowing our requirements; they know them perfectly well.

249. So that the Town Council would not be holding water for you and deprive other people?—No.

250. Have the Council ever raised the point of starting a system by which you would take a certain permanent amount?—No, not to my knowledge.

251. But could the existing mains give you a sufficient pressure?—No, not for hydraulic machinery.

252. Then do I take it that if you had it, it could be used for hydraulic machinery?—Well, it is very rarely that water is used direct for giving pressure; I have never done it myself; it is usually accumulated by a steam engine.

253. But what I mean to say is, you have now decided to introduce electric power as against hydraulic power which is cheaper and better than electric power?—No, I do not admit that hydraulic is either cheaper or better than electric power.

254. You have electricity irrespective of the water supply?—Well, but the point raised by Mr. Stewart is purely an engineering one. He raised the question of the supply of hydraulic power, as the only source, and when I was considering whether we should use hydraulic power as against electric, I had in my mind's eye the adoption of accumulators, which means pumping.

255. What height would have to be taken?—One hundred feet gives about forty-four lbs. per square inch, if my memory serves me right.

256. You really want a height about seventeen hundred feet or sixteen hundred feet?—Yes.

257. That is undoubtedly higher than the Molteno Reservoir?—Yes.

258. So that practically the Town Council would have to lay a separate pipe for you some distance?—Yes.

259. *Chairman.*] How do you discriminate between the water supplied at one shilling and that supplied at ten shillings?—We have a meter.

260. But how do you arrange? The Town Council have to take your word for it?—Yes; we have never had any dispute on that score about the shipping.

261. How do your sewers get water?—Well, the Docks have no sewers at all; we use tubs to a very large extent; some houses are connected with town drains.

262. Water closets?—Yes.

263. That is all?—Yes. There is no sewer which we can use unless by pumping from the dock area, or unless we went in for some definite system.

264. The dock area is not included in the sewerage?—No, it is not.

265. Has any proposal been made?—No, but I have a scheme approved by the Harbour Board, and I think by the Government, to introduce a separate sewerage system at the docks.

266. And where would the outfall be?—It would be into the sea where the Cape Town outfall is.

267. Have you approached the Town Council about it?—Yes.

268. Have they agreed to that?—It is not settled yet.

269. The outfall of the Cape Town sewer is outside the Breakwater?—Yes, some distance to the westward near the lighthouse.

270. Now, are you acquainted with the currents in Table Bay?—There are no currents in Table Bay.

271. Is not that rather a departure from the general belief?—I think so, there are certainly no currents that we as engineers know as such; no motions of the water that we call currents: that is, permanent currents.

272. Then supposing that a proposition was made to lay a sewer discharging near Salt River Mouth, where the excrement of about thirty thousand people would be deposited, what would be the effect upon that in the absence of currents? Would it be deposited on the spot?—No, there are currents introduced by wave action, which will perhaps displace it and take it to the westward, then other forces cause other currents which might bring it back again. I think it will assist the Commission more materially on that point if you had a copy of our current chart taken from absolute observation.

273. Does that differ from the points indicated on the plan by Mr. Dunscombe?—I will have a look at it.

274. Are you acquainted with Mr. Dunscombe's report?—I have not seen it. On reference I find that even on this plan the currents are indicated in all directions; and that is how it is; there are no set currents in Table Bay or in Algoa Bay.

275. Are you of opinion that the prolongation of the Breakwater has at all affected the currents in Table Bay?—I cannot accept that because I hold that there are no currents in Table Bay. There are as I have just stated induced currents from various causes which work in all directions; it is a very peculiar thing, and at first sight it is a difficult matter to understand, but it is my firm belief that there are no set permanent currents in Table Bay.

276. Do you think that is the reason why the Cape Town Corporation carried their sewer outside the Breakwater?—If that were not so, it would be objectionable from every point of view. I think it would be fatal to the port of Cape Town if it were otherwise.

277. Have you studied the question of the currents lately?—I have looked into the currents very closely.

278. When designing the extension of the Docks?—Quite so.

279. If there were a strong set current there would not be the objection to discharge at Salt River?—If there were a current from westward to eastward I should think it would be all right.

279 (a). From what you know of the currents what do you think of the propriety of such a scheme?—It is a matter for the Town Council, but it is my certain and fixed conviction that it would be a very unwise thing to do.

280. When you sewer the Docks, you propose to connect with the Cape Town mains, and discharge outside the Breakwater?—Yes.

281. Are you prompted to do that because of the difficulty you foresee in the want of a current to carry the sewerage out to sea?—Yes.

282. *Dr. Gregory.*] The present outfall of the City Council, do you consider that sufficiently provided for?—I have never given any attention to it; I cannot say what current you have there or what you have not.

283. *Chairman.*] Have you experienced anything there?—No, except bad smells sometimes.

284. Do you mean outside the Breakwater?—Yes, where the outfall is.

285. *Dr. Gregory.*] Is your drainage scheme of the Docks within measurable distance?—I hope so.

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286. About how much sewage would you require?—I have to provide for eight or nine thousand people.

287. That is excluding the Breakwater Convict Station?—Yes, at present all the ships use the docks, which is not only objectionable, but a very serious matter.

288. *Chairman.*] Do you mean to say that all the ships in the outer basin open their closets?—Yes, their closets are always open.

289. Would you submit your scheme to us or send a copy of it?—Of the drainage scheme?

290. Yes?—Yes, it is the Lieneur system.

291. Would that increase your demand for water to any considerable extent?—No, not much.

292. What, roughly, do you think it would amount to?—Well, I would prefer to give that a little thought before answering the question. With regard to the number of people at the docks, I may say that we have living there 116 Europeans, 18 coloured, and 1,978 natives; that does not include a great number of people who are not under the Board's control—but there are no means of computing it—living in ships and in huts, and in different other places.

293. Is it your proposal to work with the Lieneur system?—Yes, I don't care about the other system.

294. Is not the Shone system in vogue in Cape Town?—Yes.

295. Why don't you take that for the Harbour?—There are a great many objections; the one sucks the sewage and the other forces it. The one causes a vacuum and the other forces it through.

296. That is why you have adopted the Lieneur system?—Yes, that is why I like it.

297. *Mr. Dyer.*] Do you consider the present outfall would be sufficient to carry yours without any increase?—Do you mean the sewage?

298. Yes?—I don't know anything at all about it.

299. I suppose you are ascertaining that before you go on with your works?—Oh, I see what you mean; yes, at present, it will be quite sufficient. I have also consulted the Drainage Engineer, and he is quite satisfied on that point.

300. *Mr. Stewart.*] Have you seen the observations on which Mr. Dunscombe decided to put the outfall of the Cape Town sewer where it is?—No, I don't know anything at all about it. The observations that I have given are the same as those taken by Mr. Goode, who was specially employed jointly by the Town Council and the Board, I think.

301. As a matter of fact, these were observations which were used by Mr. Dunscombe?—I presume that Mr. Dunscombe went outside the Breakwater in consequence of the absence of currents.

302. Have you in the course of your work acquired any knowledge or information which would lead you to think that the outfall is in the wrong place?—On the contrary, I think the Corporation has done quite right in taking it outside the Bay.

303. Have you seen any effect outside the Bay?—No, in the basin we have great difficulty, but I think that is entirely due to our own fault: that is to say, vessels in the basins cause the nuisance, and we of course should, by regulations, prevent that, but it is not practicable at the present time.

304. *Dr. Anderson.*] I understand that your objection to the Shone system was the number of stations required; but you will only require one?—Yes, but then you require so many subsidiary stations, and a certain number of reservoirs are also required.

305. I think the Shone system a most excellent one, and of course at the present time I understand you can get power from the Corporation?—I don't think they can supply us as they would want another station.

306. You have considered it?—Oh yes, I have considered it.

307. *Mr. de Villiers.*] You give the population as about two thousand roughly, at the docks. Is that only practically the employés of the Harbour Board, or are there many other people over whom they have no control?—With regard to the population we have a native location, and we have registered practically two thousand people, but there are about eight or nine thousand people who go away somewhere at night.

308. You say some of them stay in huts?—Yes; they work at the Docks, and they live in the vessels, and some sleep sometimes in some old buildings of the military.

309. *Dr. Gregory.*] Does that estimate include the Breakwater cottages?—No, these are outside, under the Town Council; I am speaking specifically within the dock area.

310. *Mr. Stewart.*] I would like to know whether in the event of having a large central power station, the Harbour Board would prefer to take their electric power

from that station, or would they prefer to have their own installation?—I think for our work I should recommend our own installation.

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311. More particularly now that you are going in for energy for your other work?—Yes, and for the ever changing load that we have on. That system has been adopted in every port in the world that I have been at.

FRIDAY, 11TH APRIL, 1902.

Present:

Hon. Sir BISSET BERRY (*Chairman*).

DR. A. J. GREGORY.	MR. W. E. GURNEY.
DR. A. J. ANDERSON.	MR. T. STEWART.
MR. J. E. R. DE VILLIERS.	MR. T. N. DYER.

Mr. Samuel Tonkin examined.

311(a). *Chairman.*] Your name, please?—Samuel Tonkin.

Mr. *Samuel Tonkin.* 11th April, 1902.

312. You are the Mayor of Mowbray?—Yes.

313. Can you give us the extent of the area of Mowbray?—I really don't know.

314. Have you added to it or increased it within recent years?—Not to any great extent within the last eight or nine years; I think there was a slight increase in the area, however, that we took in with the purchase of the Rapenberg farm—about two hundred acres.

315. Is that place occupied for farming purposes now?—Oh no, we use it for Municipal purposes.

316. Is it an area that could be built upon?—Yes, a great portion we hope to sell by and by at a good profit; it has already increased to about five or six times its value in purchase price.

317. With that exception, the area of Mowbray would be as set forth in the Proclamation?—Just so.

318. And the boundaries would also be as set out in the same Proclamation?—Yes; there was a small piece taken in from Rondebosch.

319. Is there much of the area still available for building purposes?—Not a very large extent.

320. Is building going on to a great extent at the present time?—Yes, very great; we pass an average of, I suppose, about twenty plans a month.

321. And land is changing hands a good deal?—Yes, very much.

322. Are there still some large blocks of land that are likely to be bought up for building purposes; I mean to be cut up into lots?—No, there are only one or two building lots but they are already sub-divided, excepting Mr. Struben's property, which has not been sub-divided.

323. Now, have you any idea as to the population of Mowbray?—About nine thousand.

324. Have you made any kind of rough census lately at all?—No, we calculated lately by counting the number of houses and multiplying the result by the number of inhabitants, which is roughly taken at 7.

325. How many houses then are there?—I think our Secretary sent in the number.

326. Is that the only idea you have of the population?—Yes, the papers submitted by our Secretary give the information.

327. What was the population at the census of 1891?—Between five and six thousand.

328 So that according to your ideas you have developed about 50 per cent.?—Yes, we were only about 2,500 strong when we became a municipality.

329. Now, the class of persons residing at Mowbray, are they to a great extent gentlemen who have their businesses in town, and merely have their residences there?—

Mr. *Samuel Tenkin*
11th April, 1902.

Oh yes, there are gentlemen, of course, and then there is a class of young ladies who come in and out of town—shop assistants and so on. We have also some few of the workmen of Salt River.

330. Of course there are also a number of people who have their businesses at Mowbray and who live there?—Oh yes, within the Municipality.

331. Now what class would be more numerous, do you think?—I think what you might call the middle class would be more numerous; the principal portion would consist of workmen and shop assistants.

332. Do you mean those that come into Cape Town?—Yes, particularly those on the Observatory side.

333. Those who come into town would outnumber those who carry on their business in Mowbray?—Yes, that is so.

334. You are practically an urban population?—Quite so.

335. You are a Municipality constituted under the general Municipal Act?—Yes, Act No. 45 of 1882.

336. How many Councillors are there?—Nine.

337. Are they elected by wards?—No.

338. The whole body?—Yes.

339. And do they go out once in three years?—They go out in thirds.

340. *Mr. Gurney.*] In the financial statement that you have given or sent to the Commission you show a total amount of loan indebtedness of £58,500, and unused borrowing power at £70,000; that makes a total of £128,590 borrowing power?—I have seen that statement.

341. Are you aware how the £70,000 shown as unused borrowing power is composed?—No, I cannot say, but I think it will probably be in this manner: The rating up to this present year has been twopence, which gave us £8,000 more or less. This year the rate is fourpence, which will give £16,000, and it may be that the Clerk has taken it as his idea that the rate would be threepence in the future, which would give us £12,000, and simply taken the basis of ten times that amount, but I cannot say for certain.

342. You think he must have taken the £70,000 solely as "what under proper authority if applied for might be borrowed," based on the rates of the previous year?—Yes, and we have borrowing power under the general Act.

343. The amount of your last indebtedness is £58,500?—Yes, we have just taken up the loan of £21,000, of which only about £7,000 has yet been received, leaving £14,000 borrowed but not expended.

344. For what is that?—For curbing and guttering streets, and for permanent works of that nature.

345. The return shows two loans, one of £12,500 and one of £25,000, and it shows that these amounts have been spent upon curbing and guttering streets and upon wash houses and other permanent works generally, the two amounting to £37,500?—Yes, and we borrowed another £21,000 since.

346. So that the £9,500 shown in this statement referred to as a loan to the Council apparently by a Mr. Stanford, is not included at all?—No, we have purchased the property and passed a bond on it, Rondebosch passing a similar bond.

347. What property?—The Steenbras River farm.

348. Oh, that was borrowed?—Yes, in conjunction with Rondebosch we purchased the farm, and Mowbray and Rondebosch paid off £1,000, and we gave a bond for the balance. I may say that this can be disposed of any day.

349. Well, £9,500 was bonded to Mr. Stanford, but how about the remainder?—We owe Mr. Stanford £9,500, and Rondebosch owes him another £9,500, which makes up the total of £19,000.

350. So that the Steenbras River farm purchase does not figure at all in any of your last accounts?—No, it is kept as a separate thing.

351. It is neither paid for out of rates nor out of authorised loans?—What we have paid has been paid out of rates. I am speaking from memory, but as far as my memory serves me we have borrowed no money for that purpose.

352. But the accounts show that £12,533 has been paid nominally out of rates, as against which this £9,500 increase in connection with the bond is shown, so that some £3,000 has been paid out of rates?—That is about it.

353. How is that applied?—Well, we paid Mr. Stewart, I think, some £1,200 or £1,500 for his report; then there were survey expenses which amounted to a good deal, besides we had to pay Mr. Stanford interest on the £9,500.

354. How is the expenditure of that £3,000 held to be justified under the Act out of rates?—I don't know.

355. You are not prepared to urge that it is a legal expenditure?—That is not a question that I am capable of answering just now.

356. Can you tell us what rate of interest you are paying on that £9,500?—I think five per cent. Of course when we purchased that from Mr. Stanford it was impossible to call a public meeting and to go through the usual form which perhaps should have been done, because delay would have meant the loss of our chance, as there were others in the market who were prepared to outwit us. We had the first chance but we had only a short time allowed us to decide, within which time we had to see the water supply and act promptly.

357. But without going into any question about the Steenbras River Scheme, and its merits from a financial point of view, you are not prepared to justify the expenditure because of its legality but because of its desirability?—Yes, and we can get rid of the liability to-morrow. Mr. Struben, for instance, told me he was prepared to go in for it. The money is perfectly safe.

358. So we find that Rondebosch is concerned in this matter in the same way as Mowbray?—Yes, it is a joint concern and each has paid exactly half.

359. Then there is a liability shown also to Mr. Tonkin and seven others, £5,000. A loan raised apparently; but is that a loan raised under either of the Acts?—No, I will explain that to the Commission. We had reached our overdraft at the Standard Bank and we found that our rates would not come in until February; we could not stop the works, so the Councillors themselves jointly went to the Standard Bank and raised the £5,000 which was lent to the Council and which has been repaid.

360. It has been repaid since the end of last year?—Yes.

361. In connection with the loan just raised?—A portion of the money was for work that had been done, and money had to be borrowed to cover that and also to make provision for the future; it was done in terms of a resolution, and it was done under the Act of 1897, I think, besides there was an overdraft to be repaid, which was done.

362. But your ordinary account showed an overdraft of over £9,000 at the end of last year?—Yes; £6,000 about was the amount owing to loan account, which together with the overdraft amounted to about £9,000; we therefore borrowed about £2,000 more than we were entitled to borrow, and we gave a promissory note to the bank, and repaid it out of the money which was raised by the loan, and the balance was paid out of rates as they came in.

363. But the £9,000 overdraft, in December, surely represents the difference between the expenditure in former years and the rates which had been taken from the inhabitants?—Yes, a shortfall of rates.

364. Then do I understand that you have raised a permanent loan?—No, that is not it; I moved that the rate should be 4d. instead of 2d. to clear off the debt; and in that way we raised a special rate of 2d. for the purpose of clearing off the debts that have accumulated, so that has been paid out of rates.

365. But the £5,000 loan by you and others was raised, as a loan for which you were responsible, in connection with this £9,000?—Yes

366. The bank had also made an overdraft to nearly that amount?—We had got up to about £7,000 when the bank stopped us and said no, they could not allow a greater overdraft unless we gave fresh security, and the security was given to the bank by the Councillors in the form of a promissory note for £5,000, and we were allowed to go on overdrawing against that. That is to say, they discounted our note and paid it into their credit. As far as our books are concerned, the overdraft was £9,000.

367. But the overdraft was £6,000 nett, and the £5,000 had been included so that the total amount would be £11,000?—I cannot say; there was £6,000 owing to loan account, and that is therefore included in the new loan account for permanent works, which were resolved to be paid out of future loans to be borrowed upon resolution.

368. And there was an overdraft on loan account of how much?—About £6,000.

369. And the overdraft on the ordinary account was £9,000?—Yes, I suppose it was.

370. That is £15,000 together?—We have paid off this £5,000, and now we have paid off the balance of the loan, and we have a credit of between two and three thousand pounds.

371. This loan of £5,000 secured by you and the other seven Councillors was secured as an advance to the Council in the meantime until the rates came in?—Yes, that was it.

372. Is no sinking fund maintained for the repayment of the debt?—The new loan is to be paid off by instalments of £500 per annum; and we have the right to pay the loan of £21,000 at the rate of not exceeding £500 per annum. We have paid off nothing as yet. The intention of the Council was to pay £1,000 out of next year's rate, the next payments to be at the rate of £500 per year.

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373. But you had no sinking fund last year?—The fact is we were too young; we were not in a position to do it.

374. Then I have referred to the loan account as shown in the return, but there is no entry made there of the transaction, in which the Mowbray, Rondebosch, Claremont and Woodstock Municipalities are concerned in connection with the purchase of the Suburban Waterworks?—Yes.

375. Are there no entries in your books?—No.

376. But the Municipality has given a guarantee to the Standard Bank for one quarter of £300,000, is not that so?—Yes, that was done before Rondebosch and Mowbray went into it.

377. No, but you have given them a guarantee of one-fourth of £300,000?—Yes.

378. And upon that they have credited the Suburban Water Company with £300,000?—Yes, that is so. We have borrowed the money but we have not taken it all up; we have taken up £223,000 only. I am speaking from memory, but it is something of that sort; there is still about £70,000 left.

379. But surely, although that money has not passed through your hands, as you have accepted the liability and own a fourth of the Suburban Waterworks, you should have entries in your books for that, should you not?—I don't think so; the Suburban Waterworks is managed by a Committee, and practically we have no liability so far as yet, because it has all been profit, and what they have got will much more than cover them.

380. So that although you have a quarter liability, inasmuch as you have a quarter asset in the concern, you don't consider it necessary to make any entry in your books?—We cannot make an entry in our books unless some money has passed through our hands.

381. Although you own a quarter of the Suburban Waterworks?—We have an interest in the Suburban Waterworks; the four Councils have an interest on the books of the Waterworks, which are kept entirely apart down there. Had we been called upon to make any payments we would have had the entries in our books.

382. *Chairman.*] While you are on that point, will you just explain why you have not been called upon to make payments?—Because there are profits.

383. Where do the profits come from?—From the sales of the water to the inhabitants.

384. How is that arranged and by whom?—By a Committee appointed by the Councils.

385. And have you given the Committee the necessary power to levy rates?—No rates are levied; they simply charge two pounds ten shillings per hundred gallons per day. It is quite different from the Cape Town rate of three pence in the pound and two pounds per hundred gallons for water. The Suburban Waterworks charge each householder or person making application for the water two pounds ten shillings per hundred gallons per day. That has more than paid expenses, besides leaving us thousands of pounds as a margin of profit.

386. They charge that in Mowbray?—Yes, and also in Rondebosch and Claremont.

387. Does the Act provide that a rate shall be levied?—It gives us power to levy a rate if there is a shortfall in the money, for instance, if the two pounds ten shillings were not sufficient to cover the expenses, then we have the power to levy a rate in order to meet the deficiency.

388. You cannot compel every householder to take the water at that rate; it is optional with them?—Yes, they can take it or leave it; the payment is a voluntary one; they make the application for the water, we supply them with it and charge for it, but we cannot compel them to take it under the Act.

389. *Mr. Gurney.*] To make the position quite clear, the Mowbray Municipality owns a quarter of the Suburban Waterworks as a matter of fact?—Yes, we are liable for a quarter.

390. And a quarter of any profit will ultimately come to the Mowbray Municipality?—If we ever see it.

391. It is a matter of business then?—Yes, it is a mere commercial transaction.

392. I take it that two people are elected by you to serve upon this committee on your behalf?—Yes, Mr. Reid and I are the two members of the Council.

393. *Dr. Gregory.*] As this constitutes a liability of your Council, it can surely be shown in your balance sheet?—No, nothing having been received.

394. Yes, but you might at the end of the year receive profits?—Then it must appear in the account as such.

395. What is done with it then?—The profits are used for the expenses of the works we are constructing—new reservoirs—which will cost £76,000; for these hitherto

we have not drawn on the capital account, as it has been paid out of the income derived from the water sale.

396. *Mr. Gurney.*] But by the acquisition of this asset you have deliberately incurred a liability of £75,000, surely that should have been shown in your books and in the accounts?—They are not shown there, but they are shown in the Council's minutes.

397. There should be some record of the fact that the Council is concerned in this transaction?—As I say, that is recorded in the minutes and resolutions of the Council.

398. But not in the Cash Books?—No.

399. Now, in this connection, might I ask you has the Council incurred any other financial liabilities that don't figure in their books?—No, nothing else.

400. *Dr. Gregory.*] Were the ratepayers consulted before this liability was taken on?—Oh, yes; we could not do it until a meeting of the ratepayers had been held under the Water Company's Act, which provides how that is to be done. Well, a public meeting was duly called and thereat the proposal was unanimously agreed to.

401. *Chairman.*] That was before the Claremont and Woodstock Act came into Parliament?—Oh, no, after; but Rondebosch and Claremont came in afterwards as they had a right to come in. We were to come in on equal terms if we came in within a certain period.

402. You know the provisions of section 4 of the Claremont and Woodstock Act of 1898; that is what I had in my mind as to the manner in which you raised the money to cover a shortfall?—We simply charge for the water, and if that should fail, then we are empowered to levy a rate.

403. But under what Act have you the power to make that charge?—Under section 18 of the Act; it has been so from the beginning.

404. And they pay for what is consumed?—Yes.

405. That is seen to by the Committee?—Yes, if they take more than two hundred gallons per diem then they get a meter.

406. The Committee has the necessary power?—Yes, they frame the regulations and decide upon the tariff.

407. Does that system obtain in all four of the Municipalities?—No, they have a different arrangement at Woodstock under the special Act, by which the Council pays for the water that is received from the Waterworks, and that Council then charges whatever they choose to their inhabitants.

408. *Mr. Gurney.*] In which part of Woodstock?—Well, that is to say Woodstock No. 1, which was under the old Act before the new part was added, which latter part pays in the same manner as we pay.

409. *Chairman.*] And you never had occasion to levy a rate at all?—No.

410. Then you have the profits that arise out of the water charge?—Yes, these profits have been accumulated and are being used towards building new reservoirs so far as they will go.

411. *Mr. Gurney.*] In addition to the £3,000 in connection with the Steenbras River farm charged to the rates, £1,403 was charged to the loan account; can you explain that, Mr. Tonkin?—Well, I should like to look into that first.

412. That would apparently be an addition to the other expenditure?—I don't know.

413. It is down in the account rendered as part of the loan of £25,000, that is, part of the expenditure under that Act?—I cannot speak without reference to the books; my impression is that it is not.

414. Can you tell us how the purchase of plant is charged for in your accounts?—It has been paid entirely out of rates; we have not borrowed any money for the purchase of wagons, carts, mules, or anything of that kind. All that has been paid for out of rates. It is only permanent works that the loans have been applied for, and when the loans are applied for the several items for which the money is required are fully specified beforehand.

415. Then if the cost of plant has always been charged against the rates, can you explain how the depreciation of plant is also charged against the rates?—It is a natural consequence; if a mule dies to-day we must replace it by another mule to-morrow.

416. But then that is not depreciation, but actually new plant?—Pardon me, if a mule dies it is depreciation of plant, because if a mule which is paid for out of the rates becomes unserviceable, the one placed in its stead is also paid out of the rates and in the same manner with carts and wagons and such things; they depreciate only in value.

417. The only difference here seems that the depreciation of plant would represent an increase occasioned by the purchase of new plant to take the place of other plant or plant under repair?—It may be one or other or both.

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418. But in any case it means actual expenditure of money?—No, you cannot call it actual expenditure.

419. Then, can you explain why street repairs are shown sometimes separately as "roads expenditure"? What do you mean by "roads expenditure"; there are two headings, that of "roads expenditure" and "street repairs"?—I am afraid our previous Treasurer or Secretary was not quite up to the mark, and it is possible he added two headings to the same thing. We have a new man now, and things are getting straighter in that respect.

420. Rapenberg property was purchased out of loan account for £4,500; for what purpose was that purchased in the first place?—Well, we were placed in a difficult position; Mowbray was rather hemmed in, that is to say, we could not go higher, as Rondebosch was on that side with Mr. Rhodes's property adjoining, and on the other side we had Woodstock. We were practically encircled, and had no outlet for water or place where we could dump our rubbish. There was an urgent necessity, and I saw at once that if we could purchase Rapenberg Farm it would suit us admirably for these purposes. The farm was then purchased, and we adopted the tub system for all slop water, which was carried away and deposited in the trenches on the farm, where it ultimately filtered and so on; and then another portion of the farm is kept for dumping down all the rubbish of the community and so on.

421. And from what source does the Council get its revenue out of the farm?—There is a large farm house on the premises, and we get one hundred pounds rent per year for that; then we sell sand but not a very large quantity, and then there are the wash houses, but the expenditure was more than the income. The item, however, had to appear as a receipt. We were the first to build wash houses, and go in for the tub system for receiving bedroom slops. I must say, however, on the question of revenue that we have taken from the farm an immense quantity of gravel which would amount in value to nearly half the purchase price of the farm and without any depreciation to the farm.

422. The cost of your administration has very materially increased since 1897; it has become three times as much as it was?—The population has increased to nearly three times the original number.

423. The rate has not increased by three times?—No, that is just it; the rate was kept at two pence, although as the population increased the number of houses increased which meant an increase of income at the same time, but then the expenditure naturally increased also with it; we had to keep a larger number of scavengers.

424. But scavengers are not part of the Town House establishment? I am speaking of the cost of the establishment; that was £426 in 1897, and has become £1,276 in 1901?—Oh, I suppose it is because in 1897 we had no engineer and no surveyors; we had no one to examine or approve plans; everything was thrown upon the Public Works Committee, whose Chairman did nearly all the work. We found that things could not go on in that way and we employed an engineer in the City to do part of it for about two or three years, and now we have an engineer fixed, and I am in hopes that he will this year pay his salary out of savings wrought through his services.

425. You were paying an engineer before that under some other heading?—Yes, I think the fixed man came in 1898 or 1899.

426. The first permanent engineer only came at the latter end of last year?—The other was not what you might call permanent, although we paid him £100 per annum and certain commissions.

427. Under what headings would he be charged for for those years?—The commissions would, I think, be charged very likely against expenditure under roads, curbing and guttering, &c.

428. And the salary?—That ought to have been included in the salaries which would have been paid out of loan.

429. In connection with the expenditure on private roads there is a special rate raised at different times; these rates are not, I take it, supposed to cover the cost?—Oh, no, nothing like it.

430. They are only a contribution towards it?—Only a very small contribution; it has happened that we cannot get the special rate out of the houses that have been built.

431. In 1898 and 1899 an expenditure of about £1,213 is charged against rates for curbing and channelling roads, but you have raised a loan for that?—Yes, there were some items that year outside the loan that had been agreed upon in the loan and paid out of revenue.

432. There is a contribution received by the Council of £62 10s., which is partly towards the cost of watering roads?—That is for watering Divisional Council roads, and that body pays a contribution towards it.

433. *Mr. Stewart.*] I did not quite catch what you said just now with regard to the calculation upon which you base your population?—Well, in 1891, Mr. de Smidt had a census taken for the Government, and he advised me to multiply the number of houses by 7, as he considered that would be a fair calculation. I am no expert in these matters, and as I considered Mr de Smidt a good authority I adopted his suggestion as my basis.

434. When Mowbray became a separate Municipality what was the population?—I think 2,500.

435. And now you call it 9,000?—Yes, approximately.

436. Referring to the question of water you say that your ratepayers are not compelled to take the water from you?—No

437. And you are not compelled to supply them?—I don't think we are compelled under the Act to supply; we do of course sell, and so far we have met every application.

438. If you have the water you will sell it, of course?—Oh, yes.

439. In the event of a large general scheme coming on, do you consider that the arrangement should stand that ratepayers are not compelled to take the water?—No, I think that if there is a general scheme for water that each householder should be compelled to take at least one hundred gallons of water; it is absolutely necessary for sanitary and drainage purposes.

440. You are aware that in large towns in England the inhabitants are compelled to take water?—Yes.

441. Is it not desirable that the compulsory power should exist thereby enabling you to raise money easily for your works?—Yes, of course.

442. In order to have that compulsory power it would be necessary to go to Parliament?—Oh, yes.

443. You are aware that in previous years endeavours were made to carry water schemes for the Peninsula without those powers?—Yes, I know all about it.

444. What happened?—They failed altogether; they had no power to levy rates, and for that reason people in England would not put money into it.

445. Were the ratepayers of the suburbs willing?—No, people are never willing to pay rates.

446. Were they willing to have the compulsory power?—No, and because of that the thing fell through.

447. People would not put their money into the thing unless there was power to levy rates?—No.

448. Then for a large scheme it would be absolutely necessary to have compulsory power in order to raise the money any cheaper?—Yes.

449. Now, do you approve of the method by which water is supplied to the houses at Mowbray at the present time? I mean the method of giving it in gallons to the houses by what is termed the dribble system?—It is very bad there.

450. Do you consider it should be altered?—Well, my own feeling is that if you could get a good dribble system, it is a better system to have as you won't have the amount of waste that you will have if you give a house the full force.

451. But from a sanitary point of view would it not be better that the water should be drawn direct from the main and not led into some storage cistern on the way?—Medical men think so, but I have not found any trouble in that direction; even the medical men differ on the point.

452. You are aware that a very large proportion of the cisterns are left in an open state?—Yes.

453. And that rubbish sometimes gets into them?—Yes.

454. Have you considered the question of supplying the water to private consumers by meter?—There is a great deal of that in the suburbs; I suppose that more than half, or, at any rate, a very large proportion of our water is now supplied by meter in the suburbs.

455. Do you think we could get that information exactly?—Yes, we could give you from our waterworks the quantity of water supplied by meter exactly, and the number of houses supplied by the dribble; of course we could not give the exact quantity of water that passes through the dribble.

456. To be quite clear, I want the number of houses supplied by dribble, and the number supplied by meter; could that be given?—Oh, yes.

457. Can you say whether the restricting effect of Act No. 45 of 1882 is detrimental to the carrying out of public works by increasing Municipalities like Mowbray?—We are restricted under the Act to go in excess of ten times the revenue to which we are limited, but still we can borrow by consent of the ratepayers, but we would have to go to Parliament.

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458. Yes, but without a special Act?—No, we are limited to ten times the previous year's rates.

459. So that to carry out a work costing beyond that you would have to go to Parliament?—Yes.

460. So that Act really is detrimental?—Yes, there is no doubt about that. I think, however, that the ratepayers are generally prepared to grant loans for carrying out necessary works. If a good case is laid before them, I have never known them to hesitate in the suburbs. There have been a few queer cases in Cape Town.

461. *Mr. Gurney.*] When you say detrimental you mean difficult?—That should have been the word, perhaps; that is, I suppose, what Mr. Stewart really meant. I mean detrimental in so far as it delays.

462. A portion of the Liesbeek River goes through your Municipality?—Yes.

463. Have you ever had any trouble from the effects of pollution in that river?—Yes, it has been detrimental to the inhabitants, I think; the river is not used for any other than washing and cleaning purposes, as the water is unsuitable, and lower down it cannot even be used for that.

464. Years ago the pollution of the Liesbeek River was a serious question; an enquiry was held and evidence taken?—Yes, there was an Act passed.

465. At the present time, is the condition of that river fairly satisfactory?—It is not as satisfactory as it ought to be, but that cannot be altered until we have a proper drainage scheme.

466. Does the pollution come from your own Municipality or from the Municipalities higher up?—From all more or less.

467. Then it would be of some value to you if there were some controlling body dealing with the whole river; the controlling bodies now are the Municipality who pass on the pollution from the one to the other?—Yes, the pollution of the river is undoubtedly a question of drainage. It would be impossible to keep that river clean until a system of drainage has been introduced when it could be kept perfectly clean.

468. *Mr. Dyer.*] I presume there is no commonage attached to Mowbray?—No, there is no commonage at all.

469. Can you tell us whether the farm Rapenberg pays?—It has paid its expenses fairly well hitherto, and in addition it has yielded us a fair quantity of iron stone and gravel, the latter about to the value of half the cost of the farm.

470. And a separate account is kept of the expenditure and receipts?—An account has been kept of the quantity of gravel taken out.

471. Is that debited to any particular works?—No.

472. But is it impossible to tell us what the revenue really is?—The revenue consists of the rental of the house, the sale price of some sand (though not a large quantity), some revenue from the wash houses, and then in addition we have had that gravel taken out without any depreciation to the value of the farm.

473. What is the charge for water per hundred gallons per day?—£2 10s.

474. And what is the charge per meter?—The same.

475. That could not be so?—You see they give a guarantee to take not less than 200 gallons, for which they pay £5 per annum and over and above that they pay 1s. 4½d. per thousand gallons, and also the charge for meter rent which is £2 10s. per annum. This price depends upon the size of the meter.

476. *Dr. Gregory.*] What is the prime cost of a meter?—I don't know, but it would not be more than £8 or £9.

477. And what is the life of a meter?—From five to seven years, but all the time they have to be kept in repair by a meterman.

478. *Chairman.*] Where do you get the water from?—The major portion from the Albion Spring.

479. Where is that?—At Rondebosch

480. Is that below the level of most of your property at Mowbray?—Yes, down to the level of the river.

481. And you pump it up?—Yes.

482. Where to?—To our reservoir.

483. That is partly the work of the Water Committee?—Yes.

484. Have you any idea what that costs per annum?—I am a member of the Water Board, but I do not carry these figures in my head.

485. Have you the whole of the water of that spring?—Oh no, a portion only; some must go down the river.

486. You say, I think, it is five hundred thousand gallons per diem?—Yes.

487. What is the capacity of the spring?—It yields something like a million and a quarter a day.

488. Has it ever been measured?—Oh, yes.

489. Is there any other draw besides that?—Yes, there is one other party who has the right to take out one hundred thousand gallons per day. The property belongs to Ohlsson, but has been rented by Wordon & Pegram; this property is adjoining ours and they pump it direct from the spring. Then we have a reservoir in the mountain receiving water from different streams there.

490. You have a supply of about one million gallons?—Oh yes, an average of one million and seventy-five thousand gallons.

491. And with that you have to supply the inhabitants of Mowbray, Claremont, Rondebosch and Woodstock?—Yes.

492. Only a part of Woodstock?—No, the whole. And we supply the Railway Department also with a quantity of, I think, 120,000 gallons a day.

493. Have you any method of dividing the water between the Municipalities?—The only place where there is a division actually is Woodstock No. 1. There we have one or two meters indicating the supply to Woodstock, for which they pay in the gross, and they supply from that their own people.

494. Then you are supplied as far as possible equally?—Yes, there is no restraint there.

495. And you have made no arrangement by which one body may receive a greater supply than the other?—Only the old contracts that we made with Woodstock and Claremont, but as far as I am aware none of the Municipalities concerned have ever come up to their maximum supply.

496. I may take it that you are not satisfied with the supply you get from the spring as you went to Steenbras River?—We will require much more; the Peninsula has been increasing to such an extent in the last eight or ten years that in the near future we will require a far larger supply of water than we have got, and it is to meet this expected increased demand that we wish to make provision.

497. Suppose the inhabitants want to complain about the shortage of water, to whom would they complain?—To the Committee.

498. And have the Town Council of Mowbray ever had to remonstrate with the Committee on the supply of water?—No, we have been very fairly dealt with; I think all the customers have been fairly dealt with, and there has been no feeling of jealousy or anything of that sort.

499. On the whole the scheme works very smoothly between them?—Yes, there is no friction. This question is perhaps fittingly connected with the Oliphants River Scheme which Woodstock wants entirely to themselves.

500. If any of these Municipalities wish to get out of the present arrangement, could it be done?—I see no reason why not; they could arbitrate.

501. Would you be prepared to pay Woodstock anything to go out of your scheme, or would you expect to be paid?—Well, seeing that they paid nothing to come in, why should they be paid to go out?

502. But they get water?—And we are willing to supply them.

503. Suppose they stop taking water?—If they should not be receiving our water, we should have more.

504. Well, then on that account should not you pay them something?—Well, hitherto they pay for what they receive; if they don't receive anything, then they don't pay.

505. Generally, if any of these Municipalities wished to withdraw from this arrangement, they are at liberty to do so?—There is no reason why they should not; it is a simple matter for arbitration as to whether they should pay or whether they should be paid, because there will still be the cost of the laying of the pipes. As an illustration, supposing Mowbray wanted to withdraw, the pipes would still go through the Municipality to Woodstock to supply them with their water, so that it would undoubtedly be a question for arbitration.

506. Then at whose expense are new pipes laid down?—Now?

507. Yes?—By the Committee of the Suburban Water Works.

508. *Mr. Dyer.*] And it belongs to them?—Yes, they have the right from the concession to lay down water pipes.

509. *Chairman.*] Have they to consult you about cutting up the streets?—They simply give us notice and we give permission.

510. It was said that your water charge is rather high?—I don't think it is an excessive charge; you pay two pounds per hundred gallons per day in Cape Town.

511. *Mr. Gurney.*] You are the Board elected by the Council?—Each Council elects two men to represent it; the person must either be a Councillor or he must be a ratepayer.

512. That gives you eight members?—Yes.

513. And then you elect your own Chairman?—Yes.

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514. And that is then the governing body?—Yes.

515. There has not been a scarcity of water since this Committee was appointed as far as Mowbray is concerned?—This year I think for about three or four nights some of the pressure was taken off, and that is the only shortage of water we have had during this last summer.

516. During all this time has there been any difficulty in getting members of your Council to become members of this Board?—Not at all.

517. *Chairman.*] They are very anxious to become members?—I don't know; it throws a good deal of work upon them.

518. *Mr. Gurney.*] There is no fee attached to it?—No, ratepayers may have a fee but Councillors are not paid; up to the present time only one gentleman who is not a Councillor has been on the Board, but to my knowledge no one has ever received any remuneration for his services.

519. *Dr. Gregory.*] As Mayor of Mowbray, are you satisfied with the water supply as it now stands?—I am satisfied if we can keep up the supply, but I am afraid that the supply will very soon be too small for the inhabitants, as they are increasing rapidly.

520. Are they increasing more rapidly now than they were?—Well I don't know that, but we had five years ago the same quantity of water that we have now, and the population increases, but the quantity of water does not increase.

521. But at present you are satisfied that it is sufficient?—As we have it to-day we are all supplied.

522. How many houses are there in the Town of Mowbray?—I think from about twelve hundred to fourteen hundred.

523. And they all take water?—Nearly all.

524. But I understood you to say a little while ago that there was little space left for building in your Municipality?—There are no large properties to be sub-divided, as all the land has already been sub-divided.

525. How many new houses can still be placed there?—Some hundreds. We have not much scope for building; we cannot go higher up as Mr. Rhodes' property adjoins, and we cannot go much lower down to the Flats either, as there we would get into Rondebosch.

526. Then practically as far as your Municipality is concerned your future supply will not be much greater than what it is now?—We calculate about double.

527. If you have fourteen hundred houses now, and you get about one-third increase, you will need about two million gallons of water per day?—Yes

528. Do you consider that you pump annually about 349 million gallons, which is about one million a day?—Yes, but we have mountain springs.

529. Then practically you have one million gallons a day running to waste?—We must be supplying more than that; we are not dependent entirely upon the pumping, there are streams constantly running in.

530. *Chairman.*] The spring is not the only source?—Oh no, we have recently spent a good deal of money in bringing in new streams, that is within the last month or six weeks.

531. *Dr. Gregory.*] You say that it will be possible for one of the four combined Municipalities to withdraw from this arrangement, but I take it that it will have to be done with the consent of the other Municipalities?—Naturally, it will be a question for arbitration.

532. Arbitration as far as the financial part of it goes?—Yes.

533. But no member could withdraw without the consent of the others?—No, I should think not.

534. If one or two were to withdraw would you then have sufficient water for your needs?—We should have an increased quantity as far as it will go for new houses that may be built hereafter. but that would not last us very long

535. But then you are supplying them with nearly one-third of your water?—I suppose it is very nearly that, but the other three municipalities are increasing so very rapidly that it will very soon be consumed. There is an absolute necessity for getting an augmentation from a farm.

536. Can you give the Commission the history of the Steenbras River scheme?—Yes, it started at a joint meeting of the Councils of Rondebosch and Mowbray; it was before the purchase of the Waterworks; we were consulting about the water question. I mooted the Steenbras River scheme and suggested that it was worth our while to look into it. The result was that Mr. Syfret, who also knew something of it, and I were asked to go down and inspect the Steenbras River. We brought up our report and then the Councils went down and examined it jointly. Besides we had reports from Mr. Struben's son, an engineer, and there was also a report from Sir Charles Metcalfe,

who acted for Mr. Rhodes, which Engineer Wilson had prepared, and we also got Mr. Stewart to go down and give us his opinion; the reports were all favourable and we purchased the place from Mr. Stanford.

537. Were all the reports favourable you say?—Yes and very much alike. Sir Charles Metcalfe gave a larger quantity than the others.

538. What was the quantity estimated?—I don't know.

539. Could you put in these reports?—Yes, I see no objection.

540. How came you to be misled in supposing that Mr. Stanford's farm governed the whole supply?—A surveyor had gone down to survey and was told that there was Government ground and another farm which Struben had purchased; then Struben had his farm surveyed and found that he had not the full area, and the amount would have to be made up by taking in a greater part of Kogel Bay, and the boundary came down to the river. We then had to make arrangements and had the offer of Stanford's Farm and Kogel Bay.

541. And you say Struben offered all his rights to the river at?—£23,000, that is to say the half of Kogel Bay Farm to the skyline, so that we had the whole of the water area on that side, and the Government had promised us also the land surrounding the basin with the right as well of carrying our pipes from the Steenbras River down to Gordon's Bay over the Government ground.

542. I don't quite understand the exact relationships between Kogel Bay Farm, and what was supposed Government land, and Struben's Farm, as to how they occupy the supply?—Stanford's Farm lies from the mouth of the gorge up the valley, and between the boundary of that farm and the Kogel Bay Farm there was a slip of Government land which gave access to the river and also to the ground where reservoirs would have to be supplied. Mr. Stewart knows the locality. Mr. Struben's farm borders on the river so that he has a certain right to the water, but he would have to bring it on to his land; and we get all his right to the water and the watershed for this £23,000.

543. When did Mr. Struben purchase Kogel Bay?—About the same time as we purchased.

544. Had his boundaries been as they were supposed to be it would not have affected you?—No, not to any great extent.

545. *Mr. Gurney.*] Would he not still have riparian rights?—He would have the right to the river, but he could not take an ounce of it out because of the slopes. In any case, it would have been a matter in which we should have been bound to do something. The offer includes the whole of the watersheds and the right to the Steenbras River.

546. *Dr. Gregory.*] Do you know what he paid for the farm?—I think it was £12,000.

547. So that he is giving you half and charging you twice as much?—That is a commercial transaction.

548. And he bought at the time you were negotiating?—Yes.

549. It is fair to presume that he had knowledge which you did not have as to the real boundaries of the farm?—I doubt whether he had then, but it is clear that we cannot do without the two farms, because we must have the upper one to prevent pollution, and with Kogel Bay he had a certain right to the water

550. But it was really a slip of Government ground?—Yes.

551. *Mr. Gurney.*] Was that the Mr. Struben who was employed as engineer?—No, his son, but we did not employ him.

552. *Dr. Gregory.*] You are aware of the different schemes which have been advanced for the supply of water for the different municipalities?—Yes, I know most of the schemes. I suggested one myself some years ago which will still come

553. And from your knowledge which do you consider to be the best of them all?—I think the Steenbras River; I think it is more feasible that the Oliphant's Hoek, which I am afraid will land the purchasers with no end of litigation, as there are no end of riparian rights along the Berg River, as everybody must know, right down to Saldanha Bay. At the Steenbras River there are no riparian rights; only the right of Struben.

554. £23,000 would give you all the control?—Yes, the whole.

555. As far as leading it to the Peninsula is concerned is it in your opinion equally accessible?—I think so; but of course it is an engineering question.

556. *Mr. Gurney.*] Has it been gone into?—Yes, we have had Mr. Stewart's report on that.

557. Is there a rough estimate of what it is likely to cost?—Yes, that we can supply you with and also with the report.

558. *Dr. Gregory.*] The supply from the Steenbras would supply all your needs?—Yes, it would.

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559. How far do you think it would go towards other municipalities?—I think it would be better to have that report before you, for then you will find that we can go on to some six or seven millions a day, but it depends entirely upon the height we build the reservoir. The mountain is so constructed as if it were really made for the purpose; it requires no real extent of wall; the higher you go with it the larger quantity of water can be supplied.

560. Supposing the Steenbras River scheme were introduced into the Municipality, how would that effect the Waterworks in which you have an asset and a liability to the extent of one-fourth?—Our idea is that the present Committee would take it over and they are willing. As far as our water supply will be concerned, we have already been approached with a view of supplying all the villages along the road; a prominent citizen of Somerset West spoke to me the other day. De Beers would, I understand, also take water from us, and the villages along the new railway will be growing.

561. That is, outside your Municipality?—Yes, but we can supply them.

562. How will it financially affect your present Waterworks?—I think it will be an improvement ultimately, because we shall have a larger supply, for I am sure the water we have now won't be sufficient in two years to come.

563. Practically it resolves itself into this: that you require a common Water Board to look after the water arrangements of your neighbourhood?—That is what we have now, a common Board between the Councils.

564. And any fresh scheme, should that be in the hands of a common Board?—Yes.

565. Otherwise, you would get into financial difficulties?—Yes, for certain; they would be at cross purposes. I have no doubt that the Committee would be able to do what is right in the matter. Our sole object is the benefit of the community; we don't want to make money.

566. But so far from having a number of separate schemes, you would strongly advocate your present scheme?—I would prefer it.

567. To take in a larger area and a larger number of municipalities, and whatever scheme is finally adopted, it should be under one controlling body?—We don't want to take Cape Town in.

567(a). Then do I take it that you wish to include everything except Cape Town?—I say Cape Town must remain out.

568. *Mr. Gurney.*] Do you want to take Woodstock in?—No, I think we should remain as we are—Rondebosch, Claremont, and Mowbray; and Woodstock might have their own scheme.

569. What is your objection to taking Woodstock into any scheme?—We would have no objection if Woodstock will bring us into the Oliphants Hoek scheme, but they want to keep that to themselves.

570. Is not that an argument that you should have one common controlling body for all?—I don't think so; what we want is that there should be a good supply, and that it should be properly administered.

571. Then I understand from a business point of view you think that whatever scheme is adopted should be under one controlling body and should supply as large an area as possible, but that you would rather not have to negotiate with Woodstock and Cape Town?—That is so, my opinion is—and I have expressed the opinion often—that the Steenbras River supply should go to these three Municipalities and supply between that and Gordon's Bay; that the Oliphant's Hoek should supply Woodstock, Maitland, Milnerton, Durban Road and those places; and that Cape Town should go to Witriver for their supply. This I have urged long ago.

572. *Chairman.*] Where is the Witriver?—Just above Wellington. It runs through Bain's Kloof.

573. Is that a tributary of the Berg River or Breede River?—The Breede River.

574. Then you say they would have to have separate mains all along?—Yes, they could get water out of that which would be enough for the whole concern.

575. Yes, but do you consider that they could put it all into one main. Or would they have to run three mains to the Peninsula?—I should run three mains from three different places. I should run a main from Steenbras River, from Oliphants Hoek, and from Witriver.

576. Will they each take separate courses to the Peninsula?—Of course. Steenbras would go from Gordon's Bay across the Flats; Oliphants Hoek would go down through Kraaifontein past Durban Road, and Witteriver very much the same course.

577. *Dr. Gregory.*] Then Durban Road could be supplied by either? Practically one main would do for these two schemes?—I think they would have to be so large that it would not be very practicable.

578. *Chairman.*] You see a difficulty in combining mains because you have different objectives?—Yes.

579. *Mr. Dyer.*] At present you have the exclusive right under the Act?—Yes, so long as we have the water to supply we have the exclusive right, that is under the first concession or agreement between Claremont and Woodstock. Mr. *Samuel Tonkin.* 11th April, 1902.

580. So that any other scheme would have to be given to you first?—Under the first agreement that was made.

581. *Mr Stewart.*] Besides the report that you have mentioned will you also furnish the Commission with all the plans and other documents connected with it?—Yes.

MONDAY, 14TH APRIL, 1902.

Present :

Hon. Sir BISSET BERRY (*Chairman*).

Dr. A. J. GREGORY.	Mr. T. STEWART.
Dr. A. J. ANDERSON.	Mr. J. E DE VILLIERS.
Mr. W. E. GURNEY.	Mr. T. N. DYER.

Mr. Samuel Tonkin further examined.

582 *Chairman.*] You gave us a lot of interesting information generally about the administration of Municipal affairs at Mowbray on Friday last, and I would like a little further information on the general condition of Mowbray. I would like to know whether there are many coloured people there?—Yes, a good many. 14th April, 1902.

583. And are they owners of property there?—Yes, some of them own property.

584. What occupations do they generally follow?—A variety of occupations; many of them are brickmakers employed in the brick-fields; some are harness-makers; some are masons; others have carts and vehicles; and some are builders, and so on. Almost everything that you can think of.

585. Now, what would be the average style of property which they occupy as far as the value is concerned?—Most of them occupy small properties, averaging I should say from thirty shillings to £2 10s. per month in rent.

586. The capital value of the property would be about three to four hundred pounds?—Yes, I should say from two hundred to three hundred and fifty pounds.

587. And are they generally the owners of such property?—Not generally; some of them are.

588. Most of them are tenants?—Yes.

589. Would the bulk of that property be owned in Mowbray?—Not by coloured people.

590. No, but by Europeans?—Yes, most of them are owners within the Municipality.

591. All these men have votes or rather can have them under the Municipal Act?—Oh, yes.

592. And these men just referred to, are they qualified to be voters for Municipal purposes?—I don't think very many, comparatively speaking, because a very large proportion of them are coloured labourers, and they would probably not have the necessary qualification.

593. Are any of them qualified to be Councillors?—Some of the coloured people have a sufficient qualification for becoming Councillors.

594. Do they take any interest in Municipal matters?—According to what their employers press upon them principally, except of course those who are actually proprietors of property.

595. They have voted at Municipal elections?—Yes.

596. And do they roll up at Municipal meetings convened for ratepayers?—Very few.

597. Are they increasing in Mowbray?—Not very rapidly; and they are not likely to increase there to any very large extent. We find that the coloured people are getting outside the Municipalities as much as they can.

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598. With reference to your Councillors; those who generally become Councillors, are they men whose business would be in Cape Town but who reside in Mowbray, or are they men carrying on business and residing in Mowbray?—The majority have their business in Cape Town, but we have about four or five builders in our Council.

599. Then it would appear that the majority of the Councillors are builders?—Yes, five out of nine.

600. And these gentlemen are carrying on business, some in Cape Town and some in Mowbray?—Yes.

601. Have you ever any difficulty in getting men to become Councillors?—No, we have never had occasion to call a second time for nominations.

602. There is generally a keen contest for seats on the Board?—Sometimes yes, but then we have sometimes had elections when there has been no opposition.

603. Speaking generally, is there any considerable interest taken in Municipal matters in Mowbray?—Yes.

604. A growing interest?—Yes, it has been growing for the last four or five years.

605. Do you own any part of what is called Rosebank?—A portion of Rosebank is in Mowbray and a portion also in Rondebosch, but these are merely postal deliveries.

606. Your Municipality runs through Rosebank does it not?—It runs outside of the Rosebank station; our boundary is on this side of the station.

607. And you have a portion of Observatory Road?—Yes, exactly in the same way.

608. Now, you spoke about the farm Rapenberg the other day; I think you said that it was because you found the area of available land was so small that you bought that farm?—Yes, principally because we had no place where we could carry on sanitary operations.

609. Are there any other farms available for the same purpose?—No, it was the only one.

610. All the other land there is in the hands of other parties?—Yes.

I wish to correct what I said last Friday about the population; I calculate that our population will increase from about twenty to thirty thousand—that is pretty well near treble what we are now—in twenty or twenty-five years. I find that there will be much more land available for building purposes than what I stated in my evidence.

611. The population will be treble, you say?—Yes, treble what it is now.

With reference to what I said the other day about the water coming in three mains; my reason for that statement is that the main for the Steenbras River scheme would come from Gordon's Bay to the main road somewhere near Somerset West; it will then be taken along the main road to Eerste River, and then take some line to the new Klipfontein road, and then all along that road to Rondebosch; going in a straight line I thought would be a great advantage; the distance with the junction of the Oliphants Hoek scheme at Durban Road would be about three or four miles. Then I also thought that if you had only one main and that got out of order you would be stuck, whereas the three mains would between them enable you to tide over during any temporary interruption of one or other of them.

612. *Dr. Gregory*]. When did you first contemplate the Steenbras River scheme?—I cannot fix the time, but I think about four years ago.

613. And when did you first contemplate jointly taking over the waterworks?—It was mooted when Woodstock and Claremont first began to claim the right of taking it over.

614. How long ago was that?—I suppose between two or three years; I have not got the dates.

615. Then you really went in for taking over the waterworks after starting the Steenbras River scheme?—Oh yes, long before that we had decided upon joining Woodstock and Claremont; we only came in when the time for our doing so had nearly expired.

616. Supposing you could have carried the Steenbras River scheme promptly, would you still have taken over the Cape District waterworks?—I think we should.

617. You think in any case it would have been necessary to take over the waterworks whatever scheme came afterwards?—Yes, that has been my opinion all through.

I was asked the other day whether we could supply the reports in these matters; I now put in a report by Mr. Stewart on the Steenbras River scheme. [Report put in. Appendix.] The plans I think Mr. Stewart must have; we have only tracings. With regard to the other two referred to, the one was handed to Mr. Struben almost at once again, because we thought it proper to do so; the other one, supplied by Mr. Rhodes, was given us with the distinct understanding that the terms should not

be made public without his authority, and without the consent of Sir Charles Metcalfe we could not give that; but what we have handed in contains everything.

618. Who was Mr. Struben, junior, employed by?—No one, he did the thing of his own accord.

619. *Mr. Stewart.*] Referring to the report by Mr. Stewart on this question, what was the total quantity which he said you could get from the catchment area of the Steenbras River?—The total quantity I think is six thousand million gallons; that would represent the contents of the reservoir, and would cover an acreage of 827, and equal to a supply of 17,000,000 daily.

620. *Chairman.*] Would that mean the quantity of water flowing from the area drained by the river?—No, that is the quantity that the reservoir will contain.

621. *Mr. Stewart.*] But that is the estimate of the quantity that will come off the catchment area, and then the reservoir will be built to contain that quantity?—Well, the reservoir would be 90 feet above the stream; there are 827 acres. I suppose that would then be the storage capacity of the reservoir.

622. Is there any data given to warrant the assumption that that quantity of water would be available for the reservoir?—It is given somewhere; a lot of water will still be running away.

623. Well, how much would that compute to daily, roughly?—That I think would give you about one hundred and seventy-five million.

624. Then in answer to Dr. Gregory you stated seventy million gallons a day?—That would depend upon the height of the reservoir; we calculated about 90 feet. The total quantity of water available per day would depend upon the amount of storage provided.

625. Were any surveys of the relative boundaries of the farms made for you before you acted in the matter?—We had the boundaries of Mr. Stanford's farm pointed out to us and they were given accurately.

626. Then how did it come about that Mr. Struben afterwards discovered that his boundaries came into this farm?—The Kogel Bay farm includes the mountain from the sea side; over the mountain into the Kogel Bay was the Steenbras River valley. According to the old beacons of Struben, it was far beyond Mr. Stanford's boundary on the mountain side. Had they given the correct area then there would have been Government land between the two farms, but in taking the survey of Kogel Bay farm, Mr. Marais found that he had not the area given in the transfer or in the title deed; then Mr. Struben applied to the Government for an amended title deed, and the boundary was then extended on that side towards Mr. Stanford's farm. That was how it came about. There was according to the old diagram and according to the old beacons a slip of Government ground between Stanford's farm and Kogel Bay farm. Mr. Marais made the survey, and it would appear that some of the land there is practically worthless; at any rate it was stated by a gentleman that it was in these rugged parts not worth more than three pence an acre.

627. The short and the long of that is that there was a conflict between the diagrams?—There was a conflict or rather a shortage in the diagram of Mr. Struben.

628. You told us that you knew something of the Steenbras River before? Do you know the district northward from there, say to Tulbagh, and do you know whether there are other sources of water supply in that range of mountains capable of yielding sufficient for the Municipalities?—From what I know of the place I don't know of any in that range. There is a stream towards the Palmiet River side but that would not be of much use.

629. Did Mr. Stewart take some gaugings of the Steenbras River?—Yes.

630. Up to what date were they taken?—Up to the 30th June, 1899.

631. Have any gauges since that date been taken?—No, no gauging since.

632. None taken in the dry seasons since?—Not since; this commenced on the first of March, the driest part of the season.

633. Of one season?—Yes.

634. Have any gaugings been taken of the subsequent dry seasons?—No.

635. Have you looked into the question of cost, or have you been advised what the cost of three mains to carry the same quantity of water that one main could carry would amount to?—No.

636. Would you be astonished to hear that practically it would add 50 per cent. to the cost?—But the Steenbras River main and the Oliphant's Hoek main could not possibly join till they came to Durban Road.

637. I am presuming that there would be one source to supply all the needs?—In that case it goes without saying, Mr. Stewart.

638. And it would be better if we could get one source for the whole district, as the cost in the three would be 50 per cent. higher than in the one?—It would be i

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the water could be brought to one spot and there is no disposal of it on the way; but if you could supply water on the way I think the income derived from that would be a considerable advantage, and cover the 50 per cent. upon the cost.

639. *Dr. Gregory.*] As long as the water is consumed you will get the revenue from it whether it is consumed at Somerset Strand, Durbanville or any other place?—Yes, if we have a larger area to supply, we would supply a larger quantity of water, and the profits would be greater.

640. *Mr. Gurney.*] You said that Mr. Struben had offered his farm for £23,000 to the Councils, is that a firm offer that holds good still?—Well, I don't think it would quite hold good now.

641. You have it not in writing?—We had a letter which does not exactly fix the period, but he said something in his letter to the effect that the value would increase as there is interest to be considered and the expenditure was increasing, but I may say that the £23,000 is not only for the Kogel Bay farm, but for the two other farms above Stanford's as well.

642. But you don't know that the offer of the £23,000 holds good to-day?—No, I don't think it would, I think he will want more now than two years ago as there has been the accumulated interest, and then there is a lawsuit pending still.

643. So really it is quite indefinite what he would take now?—Yes, but I think it is likely that he will be glad to sell it even now for the £23,000.

644. *Dr. Gregory.*] What is the nature of the lawsuit?—When Struben applied for the amended title, we opposed it, through the Government, of course, as we could not do it any other way, but we guaranteed the Government that if they went on with the case, we would defray the cost of the trial. The case went against the Government there is another point in the case in which the Government was specially interested affecting the foreshore of Kogel Bay, and the Government wanted to have that point definitely settled, and that is the action on appeal to the Privy Council. In so far as we are concerned, though the point went against us, we should not have appealed.

645. Then practically as far as you are concerned the thing is settled?—Yes, unless the appeal upsets the whole decision inasmuch as the boundary which the Court gave to Struben entered the farm. It is quite possible that the question of the foreshore upsets the whole judgment.

646. And you said the boundaries of your farm as described on the diagram were absolutely correct?—Yes, there is no dispute about our boundary whatever.

647. Yet Struben's farm goes into it?—Yes, because of his diagram of the place, and if the boundary has to be extended to the river, which is practically the decision of the Court, then of course it will run into our farm. I don't think the Court knew this at the time. But they did not claim that in the first instance, and it was only afterwards discovered that there was a shortage, but otherwise our beacons were correct.

648. And in your opinion without Mr. Struben's rights the Steenbras River would be valueless?—Yes, we could not do anything without it.

649. *Mr. Gurney.*] As a matter of fact you did not have a survey of the farm until after you had bought it?—There was no time to do that, but the beacons were all pointed out.

650. Are not all the subsequent troubles largely due to that?—No, our beacons were right; you must understand that the farms did not come together at all. But the Court now gave it that this boundary shall go to the river, because the river is described in the diagram as the boundary, as well as on the title deed, and that is how it comes through our land now, but as far as our boundaries are concerned our beacons were quite correct. You see there was a strip of Government land between the two farms.

651. *Mr. Stewart.*] In consequence the boundary was made much further North than the actual shape of the ground previously described in the diagram?—Kogel Bay, yes, it is really to the West.

652. I think we are speaking of different boundaries; I mean the North boundary?—That is the river.

653. *Chairman.*] May I ask if there are any plans of these farms from which we can get some definite knowledge of their situation?—If you will excuse me five minutes I will go down and bring up the plans.

654. Very well?—I will fetch them.

Witness having returned,

655. Have you got those plans now?—Yes, I have got five. I should like a receipt for them, and will put them in on condition that they are returned to us after the Commission have done with them. The first plan shows the Steenbras River farm,

Struben's farm and Stanford's farm. It indicates the boundaries, and the original beacons I can point out. (Witness explained to the Commission how the shortage discovered by Mr. Marais affected the boundaries, and stated further that though the original beacons do not show it the actual boundary of the Kogel Bay farm is the river.) According to the description on the diagram, the river is the boundary. [Plan put in.]

I also put in four plans, viz. :—

(*a*) Plan No. I.—Steenbras River water supply scheme.
(*b*) Plan No. II.—Showing storage reservoir.
(*c*) Plan No. III.—Section of dam.
(*d*) Plan No. IV.—The catchment area, showing relation of reservoir to farm.

Plan No IV. also shows the two farms that Mr. Struben has bought and also the Kogel Bay farm, or rather half of the Kogel Bay farm. These three farms he offers us for £23,000

656. *Dr. Gregory*] You will completely submerge his three farms with your land ?—The water will come in the portion of No. II. and a very small portion in No. III.

657. Is your Council represented in the appeal before the Privy Council ?—No, it is a case between the Government and Mr. Struben ; Struben has sued the Government for an amended title.

658. Yes, but is the question which the Supreme Court decided in Struben's favour which extends his boundary into your farm brought up before the Privy Council ?—It is all one judgment.

659. Is that point argued ?—I don't know, I am sure. It was in Mr. Reid's hands.

660. But the point is : did you represent to the Government the necessity for argument on that point ?—Yes, they are perfectly aware of that ; I mean the Attorney was perfectly aware of that.

661. *Chairman.*] To what extent is the question of your water supply wrapped up in the question of the settlement of the boundaries ?—You see it is this——

662. I mean, financially ?—Rondebosch Council and our Council are in for £20,000, including the expenses of the lawsuit up to the time of judgment in the Supreme Court.

663. Yes, but suppose that Mr. Struben gets judgment in his favour. That would mean that certain lands would become his, which would be required for your water scheme ?—Yes.

664. And you will have to buy these lands. Now to what extent would they affect your water scheme ?—The water scheme could not go on unless we bought it.

665. *Dr. Gregory.*] You say it is not a firm offer on the part of Struben ?—It was for the time being.

666. But he has also offered, I understand, to take your share if you were prepared to sell ?—Yes.

666(a). Is that a firm offer from him ?—An equally firm one with ours.

667. Do you think that holds good now ?—I don't know now that the Royal Commission is dealing with the question what we are going to do.

668. *Mr. Gurney.*] He did not offer you his farm at what he gave for it ?—No.

669. *Dr. Gregory.*] Who first suggested the Steenbras River scheme ?—I was the first, I think.

670. On what information did you suggest it ?—I suggested the Steenbras River because I thought it would afford a very good source from which to obtain a supply of water. I had some knowledge of the place and Mr. Syfret who also knew something about it supported me.

671. *Chairman*] But is that from your own knowledge ?—Yes.

672. You had been there ?—Yes, I had seen something of it.

673. You had no interest in the matter ?—None whatever.

674. You have nothing to say against the water ?—No.

675. You said the other day that it was discoloured ?—Yes, but the discolouration could be got rid of ; it is caused by the palmiet which grows on the farm.

676. Is that the same matter that colours the water on Table Mountain ?—I suppose it is the same thing ; I don't know whether there is palmiet on the mountain.

677. It is a fact, however, that some of the water coming from Table Mountain is discoloured from vegetable matter ?—Yes, but I don't know whether that is from palmiet.

678. And that discolouration could be got rid of by doing away with the palmiet you say ?—Yes.

679. Now, how would you get rid of the palmiet ?—By taking it out.

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680. It does not militate against the quality of the water really?—No; everything goes to show that the water is very good, barring this discolouration.

681. *Dr. Anderson.*] Has the water been analysed?—Yes.

682. Can you put in any analysis?—I am not sure, I think I could get it, and if so, I will send it in to you. I think the analysis was made by Mr. Hahn, and I am not sure whether it is not embodied in the report put in.

683. *Mr. Stewart.*] All the tributaries of the Steenbras River give clear water?—Oh yes; the one that goes down to our farm is perfectly clear, and I think quite pure.

684. And you could store that and let the darker water go waste if necessary?—I suppose that could be done, but it is an engineering question entirely

685. *Chairman.*] You have no idea what would be the proportion of the clear water and the coloured water to the total supply?—It depends upon the season of the year. In the drier season most of the water comes from the Kogel Bay mountain side and is perfectly clear, and that is the largest stream in the summer time; that is the stream that comes, not from the catchment area, but from the spring in the mountain, and would yield up to two million per day.

686. But in any case the Steenbras River Scheme implies the construction of a large reservoir in that neighbourhood; you don't intend to lead the water direct into the Municipalities?—Yes, to catch the larger supply, but from what we saw when we were up there in February, when there was a large stream of water running, I consider that if we could get the whole of that stream it would supply an immediate quantity which would be sufficient without the building of the reservoir; and I should say that from that source we would get about two million gallons per day. A very large stream was running then.

687. That was in February, you say?—Yes.

688. Would that run on to your farm?—Yes.

689. February is a dry time?—Yes, the driest time, I take it.

690. Is there anyone in the way there?—No one but Struben. It runs from there down the waterfall into the sea. Struben's ground is on the left and Government ground on the right, and this the Government have had surveyed with the intention of giving it to us at the usual price.

691. The Government put no difficulty in your way?—No, no difficulty whatever; in fact, the survey has already been made, and the final settlement is only pending this judgment by the Privy Council.

692. *Mr. Stewart.*] As a matter of fact, Mr. Tonkin, the relative flow of the two streams referred to are given in the appendix to the report.

693. *Chairman.*] There is no objection to our incorporating this report into our report if we think it necessary?—None whatever.

694. Can you tell us something about the drainage of Mowbray?—Yes.

695. Have you any drains or sewers about Mowbray?—We have two or three storm water sewers, but we have no underground drainage.

696. The storm water conduits, are they surface or underground?—We have an iron pipe of 18 inches to carry storm water; that is a covered drain and goes down to the river. There are other similar drains, but only for storm water. At the railway crossing there is also a two feet iron pipe catching all the storm water and carrying it down to the river.

697. It all discharges into the Liesbeek River?—Yes.

698. Are there any underground drains on private property?—No, none whatever.

699. Have you any noxious trades about Mowbray like tanneries, &c.?—No, we have none within the Municipality.

700. And now tell us how slops are disposed of in Mowbray?—The bed-room and kitchen slops are accumulated in tubs which we supply every house with, and these are carted away daily. In some instances they are taken away twice a day, but that is only in a few instances. In any case there is one removal every day.

701. By your contractor?—No, by our own carts, and they are taken away to Rapenberg Farm, where it runs into the sand.

702. And the tubs for night soil?—These are weekly removals, at night.

703. By your Council?—Yes, for which we make a charge.

704. Do you make a charge for the slop removal?—No.

705. And what do these slop removals cost you?—Roughly speaking, £1,600 a year. We calculate it that the cost of the removal of the slop water and of the night soil together would amount to the interest on about £80,000, at 4 per cent.

706. What do the residents pay for the tub removals?—They pay according to the value of the property—from 4d. to 1s. If the property is worth £250, 4d. is charged; if £500, then 8d. is charged; and upon any value above that the charge is 1s.

707. And you empty them once a week for that?—Yes.

708. Are there any water closets in Mowbray in addition?—Thre are some earth closets, but not many, comparatively speaking only a few.

709. Has the Municipality anything to do with them?—No, that is done by private contract.

710. Any cesspools?—Very few now.

711. Can you tell us how many houses are attended to in that way by the Municipality?—I cannot do it from memory.

712. But you can get us a return from the office?—Yes; if my memory serves me right, I think there are about 1,250 houses.

713. From which tub removals are made?—No, the removals are not made from all the houses; proprietors of large properties are allowed to use the refuse for manure, and so on.

714. Then the removals are not compulsory?—No, it is not compulsory in the case of large properties of a certain given area of ground; there the proprietors or occupiers are allowed to empty the tubs themselves.

715. But you have the power to compel the ordinary householder to take advantage of your system?—Oh yes, by the regulations.

716. Now what is done with your refuse?—That is removed by our own carts and taken to Rapenberg farm.

717. Do you make any charge for that?—No, no charge.

718. Have you any idea what that costs you?—I think an estimate has been given for this work under "scavenging."

719. How often is that removed from premises, once a week, or twice a week?—I think three times a week.

720. And for cleansing the streets?—We have the gutters swept every day, and the dirt is taken out and carted away.

721. Now have you any comprehensive drainage scheme on foot at the present time?—Yes, we have agreed together with Claremont and Rondebosch to join with Woodstock in one general drainage scheme, known as the Woodstock scheme, which will have its outfall into Table Bay.

722. Have you got so far as to have authority for that scheme at all?—No, Woodstock has only just received their authority.

723. From the inhabitants?—Yes; it was no use our getting the necessary authority until Woodstock had got theirs. We are now preparing our plan for the purpose of submitting them to the ratepayers. We cannot apply to the ratepayers until we have the plans and specifications ready; they are being prepared and the Council has already, so far as the Board itself is concerned, adopted the scheme by their vote to join in the Woodstock outfall.

724. It would be necessary to have Parliamentary authority for that scheme, would it not?—No, I think it could be done under the Public Health Act, which gives us power to go outside the Municipality. But Woodstock will bring their main up to the boundary of Mowbray and there we will join.

725. Will there be any objection to discharge into Table Bay?—I don't know of any objection; there certainly will be none on our part.

726. But on the part of the Conservators of Table Bay?—Well, I suppose that is the Harbour Board; I see they have got their authority extended to Blaauwberg on the other side of the Bay.

727. Is not that a question that requires a settlement beforehand?—The only question, as far as I can see, is whether it would be detrimental to the Bay. Our opinion is, and we are backed by expert opinion, that it would not be detrimental to the Bay, so long as the pipe is taken out a sufficient distance so as to come into the current.

728. But are all experts agreed upon that point?—I have never known them all to agree. Even Doctors differ. But I don't think there is any danger myself.

729. You don't think Cape Town people would object to that?—I don't see how they can possibly object to it; they have themselves run a pipe out there from the Military Hospital. Woodstock took them into Court over that business, but Woodstock lost the case, and there has been no danger from that pipe taken out from the Military Hospital. We have had the expert opinion of Mr. Dunscombe and Mr. Pritchard, both agreeing to the opinion I hold. Of course I don't think it would be right to bring the pipe nearer town, that is to say to the Woodstock side; but if it is carried out beyond Mellish's farm there would be no difficulty at all, and all the expert opinion that we have got goes to show that there would be no danger there.

730. Did not Mr. Dunscombe combine his opinion with the irrigation plan as well?—First of all, the irrigation plan farm would not answer.

731. How?—There was no land up there fit for farming.

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732. You, yourself, see no objection to discharging the sewage into Table Bay?—No.

733. And the Wynberg people, what are they doing; are they helping you in this scheme?—This scheme was mooted about five or six years ago. Wynberg was then prepared to go with us; it was then doubtful as to whether we should have a sufficient quantity of water to give effect to the scheme. Wynberg got sufficient water of their own and they then decided to adopt their own drainage scheme by getting a farm at Diep River side.

734. I suppose your people are keen for this scheme?—Yes.

735. It would mean a saving for you?—Oh, yes, it would be an infinite saving to us.

736. What is the whole scheme going to cost?—We have made a calculation, although of course it is an approximate one, as our plans and specifications are not yet completed, but we have estimated that the cost to Mowbray would be about £40,000 to £50,000.

737. Your present expenditure for drainage purposes amounts to the interest on £80,000 at 4 per cent.?—Yes, and the question of drainage is one of life and death to Mowbray.

738. I suppose we would be able to get these plans?—When they are completed, but they are not yet finished, and it will take some time before they will be ready.

739. *Dr. Gregory.*] Who is preparing the plans?—Our Engineer.

740. Your Town Engineer?—Yes.

741. You say it is to be a combined scheme from Mowbray?—Yes, with Woodstock, Claremont and Rondebosch.

742. Now, is each of your Town Engineers getting out plans?—I believe that Rondebosch is about to begin, but they have not commenced yet.

743. But, then, do I understand that you are making a combined scheme, but that each Council is working out its own details without reference to the others?—The combined scheme, so far as the main for the whole is concerned, will be in the hands of Mr. Olive, and then our Engineer would drain into that main.

744. Have you consulted Mr. Olive?—Yes, we have consulted him, and, if I am not mistaken, the combined Councils of Claremont, Rondebosch and Mowbray have also consulted him.

745. Have you a combined Committee for this work?—The Councils have been meeting jointly on this question of drainage for some time past.

746. Do the full Councils meet, or only representatives from each?—I think the representatives from each. On the water question we have been meeting jointly, but on the question of drainage there have been three delegates from each of the Councils of Claremont, Rondebosch and Mowbray. Woodstock had already their scheme; they will bring the main up to our boundary.

747. What communication have you had with Woodstock about it?—We have sent a resolution to Woodstock, agreeing to join in with their scheme.

748. Who has employed Mr. Olive, the combined Committees or the Councils?—So far as Mr. Olive is concerned, we have only had his opinion, for which we have paid; we have no arrangement with him as yet, except that it is clearly understood between the three Councils that Mr. Olive will construct the main, and arrangements will then be made as to what we are to pay for our portion of the work.

749. What powers have the different representatives been given by the Councils to deal with this matter?—I don't know. I don't think any actual power has been granted, but each of the Councils has passed a resolution to that effect.

750. How did you arrange with regard to the expenditure incurred in getting the opinion of Mr. Olive?—In that case we have divided the expenditure between us.

751. And there is a standing resolution between the Councils of such an agreement?—Yes, when we wanted Mr. Olive's opinion we asked him what he would charge for the same upon certain matters which were indicated. He replied so much. Then each of the Councils agreed to pay their share of the amount and then the agreement was made.

752. Then do I understand that in order to work out a combined scheme for the Municipalities, representatives of three Municipalities meet practically with representatives of the fourth, which is to take over the sewage of the first three, and they practically get no engineer for the main scheme, and that the individual details of the scheme are being worked out by your several Town Engineers without reference to one another?—The other two Municipalities have no engineer as yet.

753. Then who is working out their scheme?—They have not begun making their plans as yet; I think one of the Councils is thinking of approaching our Council

on the subject, but no start has as yet been made. Until the Woodstock Council had the consent of their inhabitants, it was no use our moving, although the Mowbray Council had begun to make their surveys even before, as it was necessary to have the survey for other purposee besides drainage, so that we have ours ready.

754. Have you any knowledge of the outfall, the levels and the amount of sewage to be received?—Mr. Olive gave each Council the advice as to how to calculate the quantity that would be required twenty-five years hence. We consider that we will go up to from twenty-five to thirty thousand in twenty-five years; hence it would be necessary for us to provide for that quantity now, and Rondebosch came to a similar conclusion as to what they would require; so did Claremont. The result of these calculations was given to Mr. Olive, and he calculated the requirements of the outfall of the pipes of the Woodstock main on the principle of the number of inhabitants given twenty-five years hence in these Municipalities.

755. Yes, but that supposes that you would discharge into the Woodstock sewer; has any definite arrangement been communicated to your Council as to where you should join and at what level?—Yes, at Eden Road and Station Road, Observatory.

756. And have you received any information from them on those points?—Yes, from Woodstock; they have shewn us their plans.

757. You have received that officially?—Oh, yes, that has been received by each of the Councils.

758. The sewage from Rondebosch and Claremont you will have to receive into your drain?—Yes, the same as Woodstock receives the other three.

759. And have you definitely informed them where and at what level they have to discharge into your sewers?—That point has not been decided yet; it could not be gone into before Woodstock had consulted its ratepayers, although I may say that five or six years ago Mr. Olive made a survey from the Wynberg boundaries, and the whole thing is, therefore, so far complete and ready to be taken up.

760. But does it not strike you as a somewhat scraggy way of one local authority not being able to know what the others are doing?—We are quite sure of what we are doing; although it has not been carried by the separate Municipalities at public meetings, we are all satisfied as to what we are doing in the matter. The main is to be constructed and supervised by Mr. Olive, and then our Municipality will drain into the main.

761. Then you are virtually forced to accept Mr. Olive or any other engineer that Woodstock may appoint; and has no arrangement been made as to remuneration?—Mr. Olive has given us his terms, but we have not accepted anything yet.

762. Has he a definite arrangement with Woodstock already?—Yes, he is getting so much per annum, and also a certain commission on the work to be done, but the other Councils have not yet decided anything.

763. And you say this whole question has really been lagging for ten years?—No, this scheme has been pending for about six years.

764. This question of drainage has been under discussion for eleven years and the particular scheme for six years?—Yes.

765. Now, does it not strike you that had there been an authority for all these local Municipalities, who would have had the power once and for all to approach this matter in a businesslike spirit and with proper powers for dealing with it in regard to the area of each Municipality as a whole, that the scheme would have fructuated long ago?—Yes.

766. I mean some suitable scheme?—Yes, but if this scheme were carried out ten years ago it would have to be renewed to-day.

767. But our knowledge is always advancing?—Yes, but no one would have supposed ten years ago that Cape Town would have grown to the extent it actually has.

768. Quite so; but no scheme adopted now or at any other time would be answering the purposes sufficiently ten years hence?—We cannot get beyond a certain area, that we know.

769. You are bringing up that as an argument that it would be wise to stand still?—No, I would have carried it right through had I the power, but our proposal came rather near to a certain gentleman's house, and he stirred the whole Municipality up against us. It was a mere personal matter, otherwise we would have carried the scheme through then.

770. Your opinion, then, is that if there were a combined authority, with proper powers, a suitable scheme could have been brought into force years ago?—That is if there had been the powers to force it. Then of course it could have been done.

771. Then you are naturally also of opinion that the sooner such a body is constituted, the better for finally dealing with the matter?—I think we would have come

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to a decision at once if this Commission had not existed. I think we should have been able to complete our arrangements within a month.

772. In what way has this Commission delayed you?—I don't think it would be wise for anyone to move while this Commission is considering the same subject. Otherwise we should have done it by joining with Woodstock, Claremont and Rondebosch, as we were prepared to do, and in that direction we were already working.

773. Do I understand that all four Municipalities are combined in this matter already?—We have all combined in this matter of carrying out this drainage scheme.

774. Not as individual Councils, but as combined local authorities by resolution?—Yes.

775. Have you fixed on the proportion of the cost which is to be borne by each?—We have so far considered the cost of the main that we decided to share, but it has not actually been settled yet. That, however, is a mere question of commercial transaction, or arbitration, whether the cost should be borne according to the area only, or whether it should be borne according to the number of inhabitants, which I think is the right thing to do. The number of the inhabitants in the Municipality is the proper basis, for according to that the capacity of the drain required is calculated. Our idea was that we should go up to 25,000, Rondebosch to another 25,000, and Claremont to 50,000, making a total of 100,000. Then Woodstock has already been considered at about 30,000, and their calculation is, that they would go up to 60,000, and the total number of inhabitants is, therefore, taken as the basis for the provision of the main sewer.

776. That is on the population basis?—Yes.

777. Has that basis been accepted by the other Municipality?—I think three of them have accepted the basis so far, but we have not consulted Woodstock on that point.

778. *Mr. Gurney.*] Do you anticipate Woodstock will accept an arrangement like that when it has to carry your drainage through its limits?—I don't see why they should not, considering that we are paying a share of the construction and of the upkeep.

779. *Dr. Gregory.*] On the population basis?—Yes.

780. But you have no surety that they will accept that?—Well, they are reasonable and I think it can be arranged.

781. Then you have really so far advanced that you could settle the thing within a month?—I think we could. It is a mere question of arranging with them.

782. *Mr. Gurney.*] Without mentioning terms?—But under the Public Health Act we have the right to outside our Municipality.

783. Yes, but at your own expense?—The whole matter is arranged between us, it would be to their advantage as well.

784. *Dr. Gregory.*] Have the individual Councils then approved of this scheme?—They have approved of the scheme.

785. And nothing more at present?—Yes, we are preparing our plans and specifications; Rondebosch and Claremont are about doing the same thing, that is what I understand from the Mayor of one of those places who has recently spoken to me with reference to the preparation of the plans.

786. But you have no idea of the cost?—The cost of the drainage?

787. Yes, the total or your portion?—No, it is approximate only.

788. You have received no undertaking from Woodstock that they will take your sewage?—Yes. I have an idea that the estimated cost of the outfall has been given to us, that is to say from the outfall to our boundary, and they have definately undertaken to accept our sewage.

789. Have you accepted their offer definitely?—No, we could not; they only decided themselves last week, and the Councils have not met since, but the thing is settled in our mind; it is merely a formal resolution which we have to pass.

790. *Mr. Gurney.*] The scheme still requires the consent of the Governor in Council?—Yes, and the public meeting's resolution would be subject to the approval of the proper authority which in this case is the Colonial Secretary.

791. *Dr. Gregory.*] You mentioned that you had certain storm water drains?—Yes, but they take no bedroom or kitchen slops, only storm water drains; they take no household drainage.

792. Then you say you remove household drainage by tubs?—Yes.

793. And that is removed daily?—Yes.

794. From every house?—Yes.

795. Then you remove from twelve to fourteen hundred tubs a day?—Yes.

796. And this is taken to Rapenberg farm?—Yes.

797. And what is done with it when it gets there?—It runs into the sand and disappears; we never see anything more of it.

798. How is it applied to the land?—Emptied in different places.

799. It is not used for irrigation?—No, but the grass grows very freely where it runs in.

800. In your opinion are all the household slops removed in that way?—My opinion is that they ought to be, and I believe that nearly all are. No appreciable quantity goes into the gutters.

801. Does that include bath water?—Oh no, we could not do that; only kitchen and bedroom.

802. What becomes of the bath water?—It runs into the gutters.

803. And then into the storm water sewer?—Yes, where there is a sewer.

804. Some little while ago I noticed that kitchen slops went into the surface gutters, has that been put right?—It is not quite settled yet, we have asked the Government to assist us with regard to the Railway Department, where there was some difficulty.

805. The Railway Department has an interdict against you for running this water?—Yes.

806. And you have asked the Government to assist you?—That is to say, we have our plans and submitted them to the Government, because we cannot lead the water away without the consent of the Government, and the Railway Department were against our proposal, but I think it will be settled when Mr. Price returns from the Matoppos. As far as I understand, the engineers are agreeable and satisfied, and it will be led away towards Woodstock. The piping is already there, and we are placing it where it ought to be.

807. Where will it discharge eventually?—Down towards Varschdrift.

808. It won't discharge into the Black River?—No.

809. What will this cost you?—I think about £1,400. We are doing everything that the Railway requires, but it will be nearly all wasted when the drainage scheme comes.

810. And how many houses does that river serve?—I could not say.

811. It is a very small proportion at any rate of the houses of your Municipality?—It includes the whole of the Observatory portion on the upper side of the line.

812. How many houses do you think?—About six or seven hundred, I should think, but I am speaking only approximately.

813. But that is of course only dealing with the foul water and washing water out of houses, and not of kitchen and bedroom slops?—No, that will still have to be carried away by the carts from the tubs.

814. And will you have to spend money in the same manner in regard to other portions of the town?—Yes, there is another portion of the town where we have approached a proprietor for permission to enable us to lay an underground drain through his land.

815. And what will that cost you?—About £400.

816. That will also be wasted when the drainage scheme comes?—No, because the greater portion of that will always be used for a stormwater drain, and it would be necessary even if we had the new drainage scheme.

817. Where do the stable and such-like drains go?—The stables are supposed to have receptacles to receive urine, and to be carted away in the tubs.

818. And is this enforced?—It is quite possible that there may be one or two not doing so, but we are endeavouring to get it carried out now that our new regulations have given us the power to do so.

819. Your surface drains running along the side of the streets carry a lot of dirty water, which with all your efforts you cannot prevent running into it?—No, it is prevented by regulations.

820. But in practice a very large amount of dirty drainage runs into your surface drains?—No, not a very large amount. Here and there there might be a case.

821. But passing the majority of your streets even in dry weather there is generally something running down the gutters?—There will always be the bath water and the washing of the yards, and that would, of course, be running into the street, but you could not call that quite as objectionable as you found in the Woodstock Municipality.

822. It is not a question of degree but of an unhealthy condition?—Oh, yes.

823. You think it is a very urgent matter that the drainage scheme should be brought in?—Yes, that is the reason why I moved twelve years ago in that direction.

824. Your night soil has practically to be moved in tubs?—Yes.

825. Where does that go to?—It is taken to Rapenberg and buried there.

826. How is it buried there?—Trenches are dug, and then covered over again

827. And no tree planting is carried on in conjunction with it?—No.

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828. And how are the tubs cleaned?—They are washed and then tarred.

829. Have you any separate tub system in the event of an outbreak of infectious disease such as typhoid, so that there is no danger of a tub coming from a house where there is a case, and being returned to an uninfected house?—We have no separate system, but there is no likelihood of that happening. It is quite possible though, and if we know of such a case, every precaution is taken to keep the tub separate and have it disinfected and tarred immediately.

830. Do you find much difficulty in exercising proper supervision over that work?—None whatever now. It is carried out weekly, and there is no difficulty whatever.

831. I mean as far as the proper disinfecting and cleaning of the tubs are concerned?—Oh, no.

832. That works very smoothly?—Yes.

833. But there are a certain number of houses that have earth closets?—Some.

834. Are there many?—I cannot say; it is a private arrangement.

835. Have they to come and ask for permission?—They don't come under our supervision at all; an arrangement is made between the inhabitants and the contractor.

836. Who is the contractor?—They have O'Brien's patent; it is taken away for them.

837. And what do they do with it?—I don't know.

838. What is their charge?—1s. per week.

839. And what is your charge?—According to the value of the house—4d., 8d., and 1s., as I have said before.

840. You are cheaper?—Yes, for the smaller houses.

841. But some people would still prefer O'Brien's?—Yes, because it is less offensive.

842. Where does O'Brien deposit his; does he take it to Rapenberg Farm?—I don't know what he does with it.

843. From your knowledge of the arrangements in force in Woodstock for the removal of night soil, is it in your opinion urgently necessary that a drainage scheme should be put into force?—It is my opinion that a drainage system should be put into force as soon as possible for many reasons.

844. And the manner of dealing with night soil is one of these reasons?—Oh, yes; it would be no use to have a drainage system which did not provide for that.

845. And I think you said there were not many cess-pits in the place?—Not many.

846. Are there any?—There may be.

847. With the knowledge of the Council?—I don't know, but none are allowed to be constructed now.

848. But are any allowed to be used that are already constructed?—I cannot say; it would all depend upon the situation and upon the surroundings

849. The refuse you say is removed and taken to Rapenberg, what is done with it then?—We simply dump it down there.

850. Don't you burn it?—Not to any great extent, although we set fire to it.

851. Do you get any revenue from this farm?—Only what I stated on Friday, such as the rent of the house, the sale of the sand, and the value of the gravel.

852. Is water laid on there?—Yes, water is laid on as far as the wash house, out of which we also get some revenue.

853. Then I understand that you are not making any revenue out of this farm by using the refuse as manure, but that in this respect it is simply used as a dumping ground?—Yes.

854. Has such a question ever been mooted?—We have thought of it, but we have not seen our way to enter into that speculation. I don't think it would be a success if we were to try it.

855. Has the question of leaving your sewage on the Rapenberg farm and making bacteriological beds ever been considered by your Council, and where would the affluent be carried to?—Yes; it would have to run into the Black River.

856. Could you not use it for irrigation?—No.

857. You have here an item of expenditure of £1,692 for "scavenging," for what is that?—I take it that is for removing slop water.

858. Then there is another item for refuse, I see; now can you explain these on your financial statement, viz:—"sanitary removals, receipts" £299, and "scavenging" £1,692, "night soil removal" £1,650; it also appears you have received for removing night soil £1,700 a year; has your night soil actually earned the revenue?—It is quite clear that it cannot be. The profit would actually amount to about £100, but then an allowance has to be made for the interest on the money expended on the

upkeep and so on. Our wagons and mules cost us a certain amount of money, and the plant should also be included; the value of which is omitted from the £1,650.

859. Are you quite sure that the removal of night soil is undertaken once a week?—Yes, the Municipality is divided in six Sections, and each Section is taken on a day of the week. There is no indiscriminate going about to remove; they are bound to go from house to house.

860. In the "£1,650 cost of night soil removal," what is included?—I cannot speak positively at the moment, but I think it is everything with reference to the Department set forth in the return; it is impossible for me to enumerate every item from memory.

861. How much are you spending every year on slop water and sanitary removals?—Our expenditure for that, I calculate, was from twelve to sixteen hundred pounds a year. I cannot speak positively as to the actual amount. We have eight wagons removing, and the average cost of each wagon would be about £200 a year.

862. *Chairman.*] Your estimate was that you were spending now what would amount to the interest on £80,000 at 4 per cent?—Yes, the two together.

863. *Dr. Gregory.*] How much does that amount to?—Eight wagons at £200 would be £1,600: then there is another £1,700 that has been paid by the inhabitants for the night soil, making a total of £3,300, that would work out at about 4 per cent. on £80,000.

864. That is the night soil?—No, it is for the two together.

865. That gives you all the inhabitants combined?—Yes, and if we have this underground drainage carried out, the inhabitants would be freed to the extent of about £1,600 or £1,700. If it cost more we would, of course, require an additional rate to cover the same.

866. But do you think you would get a sufficient and proper scheme for £40,000?—That was the estimate by Mr. Olive, but I should add another £10,000, owing to rate of wages now.

867. And that would bring the Municipal sewer within a reasonable distance of every house?—Yes.

868. Of course, you would have to add the cost paid by private individuals?—That is outside us, and would be paid for by the proprietor of the property the same as is being done in Cape Town.

869. But you have taken in the people's contribution?—Yes, but it is just this: that the payment for connections will be made by the landlord and not by the occupier, who will, therefore, be freed from the drainage when the scheme is carried through, and only the landlord will have to put his hands into his pockets to the extent of about £20 or £25 per house.

870. In that scheme is it proposed to take the storm water to the extent of what falls in the yards and on the roofs?—Only what falls in the yards.

871. *Mr. Stewart.*] We take it from you that for the last twelve years you have advocated a drainage scheme, would you approve of one general scheme for all the Municipalities?—Yes.

872. Do you think that it is better that each Municipality should do its own drainage instead of having one board to do the lot?—Well, in my opinion as we are constituted now, it would cost us no more to do it separately than to do it by one board. We can actually do ours cheaper, I think, for we have our own Engineer, and so on.

873. Would it not be better to have one supervision for the lot?—I don't see that.

874. Who would be responsible for the working of the whole of the scheme?—If Mr. Olive is engaged on the main sewer he would be responsible for that.

875. And who would be responsible for the other sewers?—Our own Engineer.

876. And in case of a dispute as to things not working properly, who would decide?—It is impossible for it to occur in our Municipality; the main drain would be laid, and we drain into it.

877. But supposing a question like that of bad smells arose, on whose shoulders would that be put?—It would rest with our Engineer.

878. What engineer?—The engineer within the Municipality, of course.

879. Not the main sewer?—We shall be responsible for our sections, and we should take care that those are properly constructed.

880. You are aware that questions have arisen at Sea Point?—Yes, but their case may be different from ours.

881. Then there is as a matter of fact no definite arrangement whereby the responsibility would be fixed definitely on your Engineer for the main sewer as against the Engineer for the street sewers?—No.

882. How much sewage per day are you providing for?—We really should have

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that from Mr. Olive; he made the calculations when we supplied him with the number of inhabitants on the basis of what they would be twenty-five years hence.

883. Shall we have Mr. Olive to give evidence upon this question on behalf of your Municipality?—I should fancy that he would give it on behalf of the Woodstock Municipality, as he is their consulting Engineer, and in fact has charge of the whole thing.

884. *Mr. Gurney.*] With regard to the question of drainage for Uitvlugt, would that affect Mowbray?—I think the Uitvlugt drains would naturally go towards Maitland.

885. In the opposite direction?—Yes, away from us.

886. At any rate, you have heard of no proposal that Uitvlugt should come into it?—No, but the Lunatic Asylum at Valkenberg will, I think.

887. That is outside your boundary?—No, that is within our boundary.

888. *Dr. Gregory.*] This scheme would go as far as to include Claremont; why do you not contemplate including Wynberg?—We did contemplate some time ago, but there was some difficulty.

889. Was that a financial difficulty on the part of Wynberg?—No; the levels were taken to beyond Plumstead, but the lower part would not be able to come in. The rest would flow into Claremont very easily. I think about three-fourths would come in. The water was a difficulty.

890. Not the whole?—No.

891. The remainder can come in by pumping?—Oh, yes.

892. Was the Wynberg Council definitely approached by the combined Municipalities?—Five or six years ago Wynberg was with us, and met with us constantly in consulting about a scheme, and it was only on the question of water that it did not go through at the time. Wynberg thought that we would not have a sufficient quantity of water, and then they went in for their own scheme.

893. Have they advanced any reasons for withdrawing?—No, not since. We have not approached them as they have gone on with their own scheme. They simply fell out and we made no enquiries.

894. Why?—They have remained to themselves since.

895. If Cape Town Council would be prepared to receive your sewage, would you consent to combine with them to take it?—I would rather not, as there would have to be an eternal pumping into Cape Town, and I do not like that.

896. Is that your only objection?—No, but the expense is what I look to. I don't want this continued pumping, as it would be an everlasting cost. That is really my only difficulty.

897. It is simply an engineering difficulty?—Yes.

898. But otherwise you would consider it a good scheme?—Yes; if we can only get rid of the sewage into a sewer and into the water without pumping, then I am satisfied.

899. *Chairman.*] Do you think your people in Mowbray would be as keen to go into the general scheme if there were a general board for the four Municipalities as when you would be doing it separately?—I don't know, I am sure, I can hardly answer that question, but I should think that if they can get a drainage scheme they would not very much mind how it is.

900. I will put it this way. Would you rather carry out your own work, or see a Central Board?—Well I think our Council is divided on the subject.

901. Has that question been formally considered?—No, not formally, the Councillors are divided, some are in favour, others against. My own opinion is that we are better off as we are, and I think we have advanced considerably more since we have been alone than would have been possible otherwise.

902. But you are prepared to join with Rondebosch, Claremont and Woodstock in regard to water?—Yes.

903. And you said that would work very well?—Yes, it has worked very well so far.

904. Would you not then prefer the same in drainage matters as well?—If it could be confined entirely to water and drainage then I would have no objection.

905. That is to say limiting the Board's operations to water and drainage?—Yes.

906. You would be agreeable to that?—Yes.

907. And the Municipalities would be left to administer other Municipal matters outside that?—Yes.

908. Do you think they would do it more economically than you would?—I don't know.

909. *Dr. Anderson.*] With regard to the slop water going into the gutters at Mowbray, I suppose the inhabitants do washing in their back yards?—No, we do not

allow that, as we have wash-houses. We have prohibited the washing in yards, except perhaps a lady washing a few napkins or so.

910. Some of the household refuse you take to Rapenberg farm?—Yes.

911. Have you had any complaint of the nuisance?—No, there is no property near to the farm, and the stuff is constantly burning.

912. What is the soil like at Rapenberg?—A great deal of it is iron-stone, and a good deal of it is sand.

913. Is it easily worked?—Oh yes, we get a great deal of iron-stone there.

914. With regard to emptying the night soil the charge is so much per week?—No, according to the value of the property.

915. Has an application to be made for the removal?—No, the carts go round, taking the different sections daily.

916. And how do the people pay?—We have a collector who goes round every week.

917. With regard to cases of typhoid fever occurring, how do you get to know about that?—The Doctors inform us.

918. You have a Medical Officer of Health?—Yes, Dr. Hewat.

919. What is his salary?—£50 per year, and besides that he makes certain charges under the Public Health Act.

920. Then with regard to the proposed outlet of this sewer into Table Bay, you don't anticipate any nuisance from it?—No.

921. There is no nuisance from the Hospital at Woodstock?—Not exactly on that account. The nuisance is caused by the slop water running through the streets of Woodstock. For some years a great deal of the Cape Town sewage from Districts Nos. 4, 5, and 6 went down there.

922. And there has been no nuisance?—No.

923. *Chairman.*] Is it not notorious that the neighbourhood is full of bad smells?—It does not come from that drain.

924. Where does it come from?—From the streets as I said before, as all their slops run into the gutters.

925. And these run into?—Into the sea.

926. Then it is not carried down?—I don't know what becomes of it; it is taken down to low water mark.

927. Is not that the whole point?—No, because our sewer is to be taken out three hundred yards into the Bay so that it comes into a current.

928. But that is just the point, the Engineer says that there is no current?—They will differ. There is certainly an undercurrent, that is clear.

929. *Dr. Gregory.*] Supposing you are not allowed to discharge into the Bay, what are you going to do?—I don't know.

930. *Chairman.*] I will just read to you what an Engineer said the other day, when the following question was put to him:—"Are you of opinion that the prolongation of the Breakwater has at all affected the currents in Table Bay," his answer was "I cannot accept that, because I hold that there are no currents in Table Bay, there are induced currents which work in all directions; it is a peculiar thing, and at first sight it is a difficult matter to understand, but it is my firm belief that there are no set currents in Table Bay"?—That is not according to Mr. Good's opinion. His chart shows currents I have seen them myself, but of course, there are Engineers and Engineers.

931. I suppose you would not be in favour of discharging such a quantity of sewage if there is any possibility of its coming back to the shore. The expert the other day gave a very strong opinion about that subject?—We have very strong expert opinion that there is no chance of this; Captain Perry gave that opinion, and he made a survey of Table Bay himself.

932. *Dr. Anderson.*] Your total indebtedness is £58,500 at the present time. What assets do you have as a Municipality for that?—Well, it has all been expended on permanent works.

933. What permanent works?—Such as gutters, kerbing, &c., and then there is Rapenberg Farm, which is worth £25,000 any day.

934. Could we have the length or kerbing of the streets which had been done upon this total indebtedness?—Yes, there is no objection to supply you with that.

935. Everything in connection with the town would be included?—Oh, yes.

936. *Mr. Dyer.*] And the sanitary expenditure?—Oh, yes.

937. What precautions are taken in case fever is discovered?—The tubs are disinfected.

938. Yes, but is there any special mark put on these tubs?—No, I could not say, but that would be the proper thing to do.

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939. *Chairman.*] Has Act No. 20 of 1896 been proclaimed in force in your Municipality?—Yes, I think so; all the amended Municipal Acts have been adopted by the Mowbray Council.

940. Can you give us the length of the streets in your Municipality?—No.

941. What length of road is maintained by the Divisional Council?—About two-and-a-half miles.

942. And your streets, are they on the whole fairly well constructed?—Yes.

943. Have they all side-walks?—Not all; some of the roads are only twenty feet wide, and of course, it is impossible to have side-walks, but under our amended bye-laws no new road is constructed under thirty feet; we have done away with the twenty feet roads.

944. And as far as the construction of new roads is concerned, how do you find the Act which I have just referred to works?—We have had no case under it yet.

945. Then your expenditure in the construction of new roads has not been much affected by this Act as yet?—No, there are no cases as yet.

946. Have you any trouble with the Divisional Council with regard to the road which passes through your Municipality?—No, we have had no trouble, they have met us fairly in the kerbing and guttering on the pound for pound principle. The roads made formerly they made us a contribution for.

947. Can you tell me in connection with this question how it is that the Divisional Council valuation for the same properties is so different from your valuation?—No, I could not, and sometimes we have had the same men making the two valuations and yet giving it differently.

948. Do you mean to say that the same man would make your valuation, say £800,000, and the Divisional Council valuation for the same property £400,000?—Previous to the last valuation it was done by the same man and given differently.

949. *Dr. Gregory.*] At the same time?—Within a few months.

950. *Chairman.*] Can you say if there is any reason given for that?—No, it is quite possible, though, that there may have been properties built in the interim which would make the difference.

951. To whom could we go to get the best information on that subject as far as you know, because the question of valuation is of interest to the inquiries that we have to undertake, and there is this great difference in the valuation?—Do I understand that the Divisional Council valuation is £400,000?

952. Yes?—There must be a mistake somewhere, but you must bear in mind that the Divisional Council take their valuations by Field-cornetcies, portions of which may overlap into the different Municipalities, and thus the valuation of some of the properties, say in Rondebosch, would fall into a Field-cornetcy, in Mowbray, and thus the valuations are not shewn in the Municipalities by the Divisional Council in the same way as the Municipal valuation would be, the latter being confined solely to the Municipal boundary.

953. Then the Divisional Council does not seem to trouble itself very much about the Municipal boundaries?—I don't think so.

954. *Mr. Gurney.*] There are reasons assigned for holding that the valuation should be different, and we shall have them presently?—I don't know what the reasons can be. My idea is that the valuation should be based on what the property will fetch in the open market, and I don't see what reasons the valuator can have for departing from that.

TUESDAY, 15th April, 1902.

Present :

Hon. Sir Bisset Berry (*Chairman*).

Dr. A. J. Gregory.	Mr. T. Stewart.
Dr. A. J. Anderson.	Mr. J. E. R. de Villiers.
Mr. W. E. Gurney.	Mr. T. N. Dyer.

Mr. Thomas Arnoldus Johannes Louw examined.

Mr. *T. A. J. Louw.* 15th April, 1902.

955. *Chairman.*] You are Mayor of Claremont and Chairman of the Water Management Committee?—Yes.

956. And you are resident at Sans Souci within the Municipality?—Yes.

957. For how long have you been resident there?—For about ten years.

958. So that I presume you are familiar with Municipal and water matters generally in that neighbourhood?—Yes.

959. How long have you been a member of the Water Board?—Since its formation.

960. And Chairman?—Since January last.

961. Your Board came into existence under the Water Supply Act for Claremont and Woodstock of 1898?—Under Act No. 24 of 1898.

962. And you succeeded the Directorate of the District Water Works Company?—Yes.

963. And how long had they been in existence?—If I am not mistaken they had been working since 1890, which I gather from the documents.

964. They began to deliver water as far back as 1890?—Yes.

965. Was the capital taken up locally, or was it held in England?—The greater part of it in England, but there were some local people—Ohlsson and others—who were also holders of some of the capital.

966. And you have been resident there nearly the whole time that they have been working?—Yes, the major part of the time.

967. And did they give general satisfaction?—Personally I cannot grumble because I have my own private supply, but there has been a great deal of grumbling by others who got their supply from the Waterworks.

968. To bring about this change who took the initiative, the Municipality or the Company?—I think the Municipality started the ball rolling.

969. Did that Water Company gather revenue from a charge which they made or from levying a rate?—By water charge.

970. And do you continue the same charge?—Yes, we have been working on the same lines.

971. Then the Act provides that the Municipalities concerned should take over the rights and obligations as well as the plant—in fact, the whole concern as it stood—by agreement if possible, and if not by agreement then by arbitration?—Yes.

972. And it was by arbitration that the concern was taken over?—Yes; that was the only satisfactory solution that we could arrive at.

973. Did all four of the Municipalities which were concerned in the water area nominate arbitrators, or only one or two?—No, only two—Claremont and Woodstock—came into the scheme originally, and it was allowed to Rondebosch and Mowbray to come in if they chose within six months.

974. And you nominated how many arbitrators?—Well, one was nominated on behalf of the Municipalities, one on behalf of the then Water Board, and one was appointed jointly. There were three arbitrators.

975. Was there no umpire?—Yes, the third was the umpire.

976. And you came to an agreement?—Yes, a final settlement.

977. Now, what was sold by the Company?—They sold the whole thing as a going concern, which included all the machinery, all the water rights and all the ground.

978. What were the water rights?—Well, I had better give you the whole thing: the purchase price as set forth in the award between the Municipalities of Claremont and Woodstock and the Cape Districts Waterworks Company amounted to £219,350.

979. Then, in terms of the award, the purchase price was payable on the 1st January, 1899, and to bear interest at 4 per cent. after that date to the date of

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payment. Certain items were taken into account, and the actual amount paid to the Company was £210,659 2s. 1d. This really expresses the total cost of the concern, which included all the machinery and the rights of the previous Company, and of course the land, which is very extensive.

980. What are the water rights?—The Albion and the Kommetje springs, and such other water rights which may accrue in the future.

981. The sole right to these?—There were some servitudes on them.

982. What were the servitudes?—The servitudes are as follows:—

(1) The primary right of 70,000 gallons water per day for Ohlsson's Brewery purposes.

983. That is out of the Kommetje spring?—Yes, and the further servitudes are:

(2) The primary right of 5,000 gallons of water per day for Ohlsson's residential purposes.

(3) The right of using 100,000 gallons per diem for manufacturing purposes, such as ice-making and ærated waters by the Ohlsson Breweries.

(4) The right of excluding all brewery companies, other than Ohlsson's, from using water for trade purposes.

(5) The right of Ohlsson & Company to require that free of cost a water supply main be laid to buildings erected on their land, the actual quantity of water to be paid for at the ordinary rates to consumers.

984. Was there not subsequently some order or arbitration, or some mandate, which provided that 500,000 gallons of water per day should flow down the river?—Yes, that is so; I forgot to mention that.

985. Out of which spring?—Out of the Albion Spring.

986. Then it means also that the 175,000 gallons per diem to Ohlsson are subject to servitude?—Yes.

987. I suppose Ohlsson looks after himself, but who sees to the five hundred thousand that is supposed to go down the river?—Well, the public.

988. Have you employed a bailiff to see to that part of the business?—It is an open secret that during the very dry seasons they have not had that supply; we have been using it for better purposes than to let it run down the river, but we have no bailiff.

989. Have you bought the Company out?—Yes, we have finished with them.

990. In cash?—Yes.

991. How much?—£217,000.

992. You sell the water at the rate of £2 10s. 0d. per 100 gallons per annum?—Yes.

993. The £2 10s. 0d. is the annual charge?—Yes.

994. What is the value of Ohlsson's servitude reckoned out on that basis?—I could not tell you.

995. Have you the total that the water servitudes would amount to at the rate of an annual charge of £2 10s. 0d. per hundred gallons per day?—It can be worked out.

996. It would amount to a considerable sum?—Yes, it would indeed.

997. It would run into about £60,000 or £70,000?—I suppose so, but I have not worked it out.

998. It means a saving to Ohlsson of at least £3,000 a year?—At the very least, I should say.

999. Now should not we add that to the purchase price which you paid?—I don't think so; I don't see why it should be.

1000. You have to supply that quantity of water, and it must cost you something to supply it?—Virtually we do supply it, but the major part of the water comes out of the Kommetje spring, which is close by to his estate, so to say the overflow.

1001. But if they had not got that supply they would have had to pay for it?—Yes.

1002. So that you lose that revenue to the extent of about £3,000?—Yes, but I suppose the arbitrators took that into consideration.

1003. I want to get at the capital price, for it seems to me that if you are obliged to supply a consumer with 175,000 gallons of water a day free, it practically amounts to a loss of revenue?—Yes, it is a loss of revenue.

1004. You raised the money from the Bank?—From the Standard Bank, yes.

1005. The whole?—Yes.

1006. At what rate of interest?—We had to pay the Waterworks Company interest at the rate of 4 per cent. up to date of settlement, and the Bank we pay 5 per cent.

1007. Have you any sinking fund?—Not as yet.

1008. Subsequently to your arbitration being settled, Rondebosch and Mowbray came in?—Yes.

1009. Did you apportion the liability so contracted in any way between the several Municipalities?—Yes, it is divided into four shares.

1010. Equal shares?—Yes.

1011. Did that imply an equal division of water as well?—No, because the population varies very much.

1012. And it was mutually agreed that the water should be divided on the population basis?—No; I will give you the basis: Claremont was to receive a supply of 200,000 gallons; Rondebosch 200,000; Mowbray 100,000; Woodstock 200,000; and Maitland 10,000; these are the daily supplies, but Maitland should not be included in the answer perhaps. Some of these Municipalities, I may add, have exceeded their supply, whereas in some, like for instance Rondebosch, they did not draw their full supply.

1013. You will tell us perhaps definitely how the water is now distributed, because I understand that you charge in accordance with the amount of water supplied?—What I wish to convey is that this was really the basis decided upon at the time between the various municipalities.

1014. How much does it amount to altogether?—700,000 gallons.

1015. And does that represent the distribution, together with the 500,000 gallons allowed to go down the river and the 175,000 supplied to Mr. Ohlsson?—That is not all; it is not the right total, I mean, which is difficult to give you exactly now. But the overflow is 500,000; then the Railway Department gets 120,000 gallons; the Divisional Council gets 7,000; and the Maitland Cemetery gets 2,000 a day. This makes a total of 1,508,000 gallons.

1016. The whole comes to 1,508,000 per day; that is to say, the whole distribution?—Yes.

1017. And that was supposed a fair yield of the springs as bought?—Well, no, I won't say that.

1018. Do you remember whether a fair yield of the springs was given you at the time?—I have only got the yield of the springs during the year 1901; I cannot tell you what the yield per month or day is, but the annual yield for that year was 349,378,500 gallons.

1019. Have you increased your liability since you have taken over the concern?—Slightly.

1020. By how much?—I cannot say; we purchased a few plots of ground which came, I will almost say dangerously, near to our ground, and we paid, I think, from three to four hundred pounds.

1021. Referring again to the question of plant, you took over the whole of the plant which was in existence at the time?—Yes.

1022. And that consisted of pipes, machinery and reservoirs, &c.?—Yes.

1023. Could you give the Commission some idea of what the whole plant consisted of roughly?—Plant, pipes, meters, &c., came to £31,741 13s. 1d. I can give an idea of the area served.

1024. Have you had to increase your plant in that direction?—Yes, whenever the necessity arose. The area is as follows:—Claremont, 4,110 acres; Rondebosch, 1,850 acres; Mowbray, 1,790 acres; and Woodstock, 970 acres.

1025. And some of these were piped?—Yes, all over.

1026. And you have had to invest a lot of money in increasing facilities in that direction from these areas?—Yes, we continue to increase because there are continually new demands springing up, new buildings are going up, and in proportion to this increase new mains and new pipes are constantly required; you cannot help it.

1027. And where do you get that capital from?—We take that out of revenue.

1028. Then what other plant was there?—Machinery for pumping water out of the Albion spring into the mains and into the reservoir; the machinery is very powerful and cost a lot of money.

1029. To what height do you have to pump it?—260 feet.

1030. And from that reservoir you provide every part?—Yes, but we are not always pumping into the reservoir; it is a peculiar thing but we pump into the mains, and when the mains are full the water forces into the reservoir, so that it may happen and does happen that during the dry season perhaps for hours or days we hardly get a sufficient supply in order to fill the reservoir, but we succeed in getting the mains full.

1031. The overflow of the mains finds its way into the reservoir, and, if necessary, flows back again into the mains?—Yes.

1032. Where do you get the revenue for that from?—Out of the water rates.

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1033. And you have had very much revenue of late seeing that you have been able to renew the plant out of that revenue?—Yes, since we have taken over we have been continually re-constructing the works, and also internal arrangements in the office. But I must point out that we are smart in getting in our revenue; we have no large outstandings, and we have had sufficient to cover all the expenses, besides paying towards the new reservoir also out of the revenue a sum of £4,000.

1034. Well now, did they pay dividends on the same basis?--Well, that I don't know.

1035. Was the award made to the company based on the rate of dividend they received or on the value of the plant, &c.?—No, I believe both were taken into consideration.

1036. I think you said you charge for water at the rate of £2 10s. 0d. per hundred gallons?—Yes.

1037. And the revenue from that source has been so great as to enable you to lay down new works?—Yes, our revenue is increasing every quarter on account of the new supply that we give to various people.

1038. Do you think it is fair when you get a larger revenue to devote it to the construction of new works rather than to lower the price of water?—Yes, until we have an augmentation of our supply that would be sufficient.

1039. Is that a fair charge you are making to the present consumers?—It is a fair charge; I think it compares very fairly with Cape Town and other water supplies.

1040. Well, that may not be fair?—So far we have fixed upon that.

1041. It is something above the charge which prevails in Cape Town?—Yes, about ten shillings.

1042. Is it not a fair thing for the Board to consider the question of making the charge for water as low as possible?—That is certainly the duty of the Board, but at the same time they have to turn their attention to other aspects of the question, such as pecuniary matters, which require looking into, and we may in the near future consider a reduction. At present we are not able to do it as loans will have to be settled first.

1043. What is the price at Wynberg?—I have no idea; it may be less than our charge but then Wynberg has not the expenses that we have; they do not pump their water.

1044. But the question is that you are not content to make a charge for the water on the basis of the cost of the supply, but you are making a charge in order to enable you to construct new permanent works which ought to be charged to loan account?—Yes, but we must provide for the future; we have several works under construction for augmenting our supply.

1045. And in addition to that you are charging the consumers interest at the rate of five per cent. on the money borrowed?—Yes, it will come to five per cent.

1046. Then it would be fair to say that you are really applying your sinking fund to the construction of new permanent works?—Yes, that is more or less the idea.

1047. You say your revenue is increasing, can you tell the Commission from which of the Municipalities the larger share of the increase is coming?—The larger share certainly comes from Woodstock; there is a very large demand for water.

1048. And can you tell us whether a correspondingly larger proportion goes to Woodstock?—Oh yes, it gets far in excess of the other Municipalities. They get practically from us 250,000 gallons a day.

1049. You deliver that in bulk?—Not to the whole of Woodstock.

1050. Only to a certain portion?—Yes; to area No. II we deliver like we do to all other Municipalities through the meter and through the dribble system; for the other portion we deliver in bulk.

1051. And for the portion which you deliver to individual consumers, you collect the charges?—Yes.

1052. And that which you deliver in bulk?—The Municipality pays us for.

1053. At the same rate?—No, at a lower rate because they do the collection.

1054. How does that work out?—Our guarantee is to supply them for this portion with 200,000 gallons at a shilling, and in excess of that at one shilling and threepences

1055. But taking it on the £2 10s. basis, suppose that you supplied the consumers of Woodstock individually, how many two pounds ten shillings would you get?—That can be calculated if we had the number of consumers, or by dividing the total by £2 10s; that is how one would get it.

1056. Do you know what Woodstock pays you for the bulk supply?—Last year they paid us £4,448 15s. 7d.

1057. That is for the supply so far?—Yes, for 19 million gallons.

1058. That is exclusive of what you supply to the consumers?—That is only No. I. area.

1059. But that which you deliver in bulk the Municipality deliver themselves and make their own charge. Now, is the charge which they make the same as the one you make to the individual consumer?—That I don't know; the Act allows them to charge £2 only.

1060. So that the persons who get their water delivered from that bulk supply get it at less than what you charge?—Yes, and the Municipality loses.

1061. *Dr. Gregory.*] At the ordinary rates it would amount to about £5,000?—I cannot say.

1062. *Chairman.*] Woodstock still wants more?—Yes.

1063. And the other Municipalities, are they getting all they require, or do they also complain?—Well, Claremont gets more than originally agreed upon; they are not in the same position as Woodstock, although the demand is very great.

1064. And at Rondebosch?—Their demand is not so large.

1065. But they are also asking for much more?—No, not much more.

1066. Mowbray?—Very little demand also.

1067. There is a large prospective demand because these Municipalities have been considering the necessity of increasing their supply?—Yes.

1068. Would the supply which you command meet the prospective needs of these Municipalities, do you think?—No, we cannot meet it; it is impossible.

1069. So that you do not complain if these Municipalities look further afield for a bigger supply?—No.

1070. Have you considered the question at all of imposing a rate upon these properties?—No, there has been no necessity for it yet.

1071. Has all the water that you supply to be pumped?—No, not all; we are not pumping now, for instance.

1072. Where does the rest come from?—From the mountains. We have two or three intakes.

1073. But the water from the Albion: would that flow into the mains if it were not pumped?—No, it would flow into the Liesbeek River.

1074. But, normally, if you want to deliver water from the Albion Spring to your customers you must pump it?—Yes.

1075. That does not hold good also with reference to the Kommetje Spring?—Yes, it must be pumped also, but of course the Kommetje Spring is on a much higher level.

1076. And have you to pump the 175,000 gallons that you supply to Ohlsson?—No, it goes out of the Kommetje Spring direct.

1077. The property is very high up?—Yes, but below the spring.

1078. *Mr. Gurney.*] The Kommetje Spring is the Newlands Spring?—No; the Newlands Spring is not in this matter at all; it is entirely separate.

1079. That is entirely Ohlsson's?—He and I owned a half share each.

1080. *Chairman.*] You don't pump all the water that flows from the Kommetje Spring?—A great deal goes to Ohlsson, and during the summer time he practically monopolises the supply to such an extent that it is not worth our while to pump during the day; the major part we get out of it is pumped during the night.

1081. Now what arrangements do you make with the private consumers as far as the laying down of pipes is concerned; do you lay down private connections, or do you insist upon the consumer doing that?—No, we have been laying the pipes, but they have to pay for the expense connected with it. We lay 15 feet of piping from the mains, and beyond that the consumer comes in.

1082. 15 feet are laid at the expense of the Board?—Yes.

1083. Now about the supply of the meters; do you charge in addition to the £2 10s?—There is a meter rent.

1084. Does that go to the Board's revenue?—It is a very important branch of the revenue.

1085. The rate of charge?—There are 258 half-inch meters, for which the rent charge is £2 per annum; there are 136 ¾-inch meters, for which the rent charge is £2 10s.; and 44 one-inch, for which the rent charge is £3 per annum.

1086. For the most part it is done by meter?—Oh, no; there are a very large number supplied through the dribble system.

1087. The man who takes the meter must take a certain quantity?—Yes; the man who takes a large quantity, say up to 8 or 10 thousand, is the meter man; the small consumers are supplied by dribble.

1088. And there is no waste by those who are supplied by the dribble?—There is always waste; it is very difficult to stop it.

1089. You have the monopoly of that area of supply?—Virtually we have.

1090. Over how much of it?—There is no other supply save and except ours.

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1091. How did Cape Town come into Woodstock then?—That was with our permission.

1092. Does not the same thing apply to Mowbray, that they cannot take the Steenbras River on without your permission?—Yes, they could bring it to the boundary, and we could buy it from them.

1093. Can you prevent them bringing the water through?—I am not quite clear on that point; they could perhaps bring it through but how about the distribution; they are not entitled to distribute.

1094. Do you think you could stop them?—Yes.

1095. Suppose Woodstock wanted to hive off to-morrow from your supply?—I would buy a new hat.

1096. You won't stand in their way?—No.

1097. That means then that they have the right to get their own supply?—I don't know.

1098. Before you can let them go what will have to be done?—I suppose there will have to be arbitration to settle the matter. You see the position is virtually this: there are four partners in the concern, if one partner wants to withdraw, the question is what did he put in.

1099. One-fourth, is it not?—But virtually the Municipality has put in nothing.

1100. They have put in one-fourth of the capital?—They have put in nothing; it is only a liability for one-fourth of the capital.

1101. The capital is divided equally amongst the four Municipalities?—Yes, but I take it that if one withdraws the remaining three would be liable for the whole.

1102. Then you would not insist upon barring or compelling Woodstock if they wish to clear out?—I don't see why we should insist on it if they feel so disposed; I would let them go.

1103. Would you pay them to go?—No.

1104. What would become of their assets?—We would take over their assets and liability; we would take over everything.

1105. Would you consider that the asset which they possess in the share of the water is of the value of the share they have in the liability for the capital?—Just so, that is the way I would put it.

1106. *Dr. Gregory.*] We have it that it is more?—That much depends.

1107. *Chairman.*] And the plant?—Well, the plant belongs to us all jointly.

1108. Yes, but it is not of much value as it lies there at Woodstock?—No, they belong to the Board.

1109. And Woodstock has the right to go in for its own scheme if they find that they cannot continue with you in addition to working a new scheme?—I don't see why both schemes should not be gone on with. It would mean an abundance of water.

1110. Suppose they did not want to? Why should they?—Suppose we had carried out our original idea when the Board was formed. The four agreed that we should go in in order to satisfy Woodstock as well as the whole of the suburbs. We should then have been able to supply all the needs including the upper levels in Woodstock for which they had been forced to go to Cape Town, and besides we would have been able even to supply Cape Town and the docks as well.

1111. Practically it comes to this that if any of these Municipalities wished to break away from the present arrangement it would be a matter of arbitration between you?—Yes.

1112. Have you considered any big scheme for augmenting your supply at all?—Yes; the Board has been considering whether we should not get an augmentation from the immediate suburbs, and we have lately succeeded in getting a supply from two sources—that is an additional supply. The one is from the Snake and the other from the Poplar streams. We have finished the laying down of the pipes which will give about 38,000 per day into our reservoir; no pumping is required as it comes in by gravitation. Then we have under consideration a further augmentation of supply, but this we have not yet been able to get; it is from the estate of Mr. C. D. Rudd, or rather from the syndicate which has bought his Fernwood estate; but if we succeed in getting the whole of that it will mean another 157,000 gallons a day. We can however hardly expect to get the whole of it because that would mean the whole of the estate would then have no water for irrigation purposes The idea of my Committee was to try and get the supply of one of the springs, which will mean another 50,000 gallons a day, and thus our supply will be augmented by close on one hundred thousand gallons a day.

1113. Including the supplies which you have mentioned from the immediate suburbs?—No, not the 38,000; only the Fernwood water will have to be paid for.

1114. Has any option been secured for that?—No, the present proprietors have been asked to name a price, but as yet they have not favoured us with one.

1115. The Board has nothing to do with the purchase of Fernwood so far?—No; besides I may mention there are other sources of supplies which we could get and which would help us materially. There is, for instance, Hiddingh's stream.

1116. Has the supply from Fernwood been gauged?—Yes, that has been gauged in the summer time by two competent men.

1117. Has the other supply also been gauged by competent men?—Yes, by our Engineer.

1118. And those are his figures?—No, some of them are his figures, but the large figures—157,000—are by our late Engineer, Mr. Bennett.

1119. Any other scheme?—Then we have, of course, under consideration the Steenbras River scheme; we had also under consideration the Oliphants Hoek scheme. One of these schemes the Board would have had to decide upon as soon as we were supplied with all the information required upon such an important matter. All the information has been before the Board as regards the Steenbras River scheme, and we are in a position to go into the matter now.

1120. Your view is that the water from the Steenbras River should be brought to your area and placed under the control of your Board?—Yes, nearly all the Municipalities agreeing to that, which I think will do.

1121. At the present time Mowbray is responsible for the purchase of a farm there?—No, Mowbray and Rondebosch jointly.

1122. And you take over that liability?—We have not decided it yet.

1123. Would you deliver the Steenbras River water on the same conditions and on the same terms as you are delivering the present water on your area?—That is our intention.

1124. And you claim the same rights and obligations for that supply?—Yes.

1125. Now with regard to the Oliphants Hoek Scheme?—That was not near so far advanced as regards the information we wanted some months ago, as the Steenbras River; and we have arranged with the Woodstock Municipality that our Engineer should be employed in order to finish the work which would enable us to decide between the two schemes. In order to carry that out we incurred a cost of £593 4s. 8d. The money was put to the debit of the Woodstock Council, and of this amount there is still due £343 which requires settlement as between us and the Council of Woodstock on account of some items being in dispute; but I daresay we shall settle the same soon now. And now that we have got the whole information with regard to the Oliphants Hoek we shall be in a position to come to a decision in the next few months. It was originally agreed that the Water Board should have the selection of either of these two schemes, and now Woodstock turns round and says they propose to have this gold mine—Oliphants Hoek—to themselves, and that we shall not have a slice of it.

1126. They put up a claim to control their own supply?—Yes, they want to stand aloof.

1127. And at the same time they want to get out of the arrangement with you?—No, they want to have two strings to their bow.

1128. You claim the right of control within the four Municipalities, and are you prepared to waive that right as far as Woodstock is concerned in the Oliphants Hoek scheme?—I think all the Committeemen, save and except the representatives of Woodstock, would agree; I don't think there will be any objection against Woodstock leaving us.

1129. And having their own supply?—Yes.

1130. And settle matters with you by arbitration?—Yes, you quite understand our position; there are Claremont, Mowbray, Newlands, and Rondebosch; we are more or less in one basin, our interests are the same and do not clash.

1131. Taking Wynberg also?—No; Wynberg's water supply comes the other way, and their drainage goes quite in a different direction.

1132. Woodstock received some supply of water from Cape Town as well?—Yes.

1133. What is the reason of that?—They went and built above our water level, namely, the Walmer Estate, so, of course, we could not supply them. Then they asked whether if they approach Cape Town with a view of getting a supply from there, we would give Cape Town Council permission to use our mains in order to supply that portion of Woodstock which at present we could not supply. We agreed to that and they drew from Cape Town a supply of 50,000 gallons. They began getting this supply of water in the month of May, 1901, and Cape Town shut them off on the 1st February, 1902, in the heart of summer.

1134. Did they use your mains?—Yes.

1135. How did they do this seeing that your mains were below the level at which you were asked to supply water?—Our mains were below the level, but they added the additional mains.

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1136. Did the Woodstock people do that themselves?—I daresay it was done by the Woodstock Municipality.

1137. And now Woodstock recurs upon you?—Yes, in the driest part of the summer months when we could scarcely supply our own demands without any strain. In February Cape Town simply told Woodstock that they could not have any more water, and they shut them clean off.

1138. And you received the prodigal with open arms?—We had to supply them.

1139. *Dr. Gregory.*] How did you supply them from your level?—We gave them the water, and I think they took it up by carts. We had to stint ourselves at the time to supply them when Cape Town shut them off.

1140. Have you had any investigation of the Oliphants Hoek supply?—Oh, yes, we have been there picnicking.

1141. Has it been gauged?—Yes.

1142. So far as the information before you is concerned, are you favourably disposed to that?—Personally I like it, and the Board is favourably disposed. It is of excellent quality, but there are great difficulties. In fact, insurmountable difficulties.

1143. Perhaps it would be as well to tell us why you think them insurmountable?—We will never get over the question of riparian rights. It runs through the Malmesbury and Paarl Districts, and all the farmers along the river use it. If it is shut off higher up, stagnant pools will result all along the Berg River. In years past, when I was representing Malmesbury, I invariably found that when a case of fever broke out in that part it originated along the Berg River.

1144. Is the Oliphants River the main source?—Almost the main source.

1145. And you speak of your own knowledge?—Yes, I know the scheme will be opposed by no less than three Divisional Councils.

1146. So that has put Woodstock in a difficult quarter as regards the Oliphants Hoek River scheme?—Yes. Personally I may say that I would have gone in for neither of the Oliphants Hoek or the Steenbras River schemes.

1147. *Chairman.*] There was a river mentioned to us called the Witte River, which is a branch of the Breede River; are you acquainted with that?—I know that very well, as I was born near by.

1148. Has the supply from that river been mooted by your Board?—It has never been mooted, because I believe that the supply of water does not belong to any particular individual just now, but that Mr. Rhodes has purchased it, and that it now belongs to the De Beers.

1149. It is now the property of the De Beers Company?—I have reason to believe that that is the case. Some years ago the Witte River water supply was offered to the Cape Town Council; they went to inspect it, and came to the decision that it was the best supply in South Africa.

1150. Do you give this information from hearsay?—No, I know that. The whole scheme was offered to the Cape Town Council for £120,000, with all the riparian rights, and it would yield, I should think, four or five million gallons a day of pure mountain water.

1151. *Dr. Gregory.*] When was that?—About nine years ago, and Cape Town Council declined it, but at that time Mr. Stewart made the greatest mistake he ever committed in his life by offering the Council to build a reservoir on Table Mountain at a certain figure. Since then Mr. Rhodes bought the place for £10,500, but lower down all the riparian rights have gone back to the people, and you cannot get them now.

1152. *Chairman.*] You said a few minutes ago that the riparian rights went down along the Berg River as far as the sea; would not the riparian rights of the Witte River run in the same way?—No; the Breede River comes from Worcester, so that taking the Witte River out of it the flow of the water would not be affected, and all the farmers along there use the water for irrigation purposes. That is the scheme we ought to have.

1153. But you say it is out of the question?—I don't think it is obtainable now. If Mr. Rhodes were alive we might get it, but unfortunately he is gone.

1154. *Mr. Gurney.*] You say the yield would be between four and five million gallons a day?—Yes, it has been tested.

1155. *Chairman.*] Is there another that you can think of?—No.

1156. Do you know anything about the Twenty-four Rivers which runs into the Berg River?—Yes, I remember having seen a scheme in the House of Assembly some years ago.

1157. That was Mr. Bain's survey?—I don't know.

1158. Do you know that part?—Yes.

1159. Do the same remarks which you have made with reference to the Oliphants Hoek River on the question of riparian rights, &c., apply to the Twenty-four Rivers? —To some extent.

1160. Not to the same extent?—No.

1161. Is that because there is a larger supply of water?—Just so.

1162. It would not affect either the riparian proprietors on the Twenty-four Rivers or on the Berg River?—No.

1163. Do you know that supply?—Well, I have been in the neighbourhood, but I cannot tell you the quantity; there are a lot of streams from all parts, and it is a difficult matter.

1164. You have only the general impression that there is a considerable quantity of water available from that source with similar rights as on the Oliphants Hoek River?—Yes.

1165. Can you tell the Commission the number of the houses that you supply with water in the Municipalities?—We supply now by meter 416 houses and by dribble 5,691.

1166. In the four Municipalities?—Yes.

1167. A total of about 6,000 houses?—Over 6,000.

1168. And are you still supplying to the Railway Department?—Yes.

1169. Where do you deliver that, at their station?—Yes, mostly at Salt River and Woodstock.

1170. Would they be prepared to take more than you are inclined to give?—Well, we have tried to limit them down to a certain amount to increase the supply of our other customers, but we have invariably found that they got over the limitation.

1171. And you supply them by meter?—Yes.

1172. And at the same charge?—I will give you the figures. They receive one hundred and sixty-seven thousand gallons a day, and they paid us £3,081 10s. That is contract price.

1173. All that you deliver at Salt River?—The majority, yes, and then of course it goes over the whole system of the railway from there.

1174. Where do you enter upon railway property?—At Salt River, Woodstock, and Kenilworth. Salt River and Woodstock are the two chief supplies. Salt River has the greatest.

1175. Do I understand four delivery pipes went to these meters?—Yes.

1176. Has your Board any idea of the population it is supplying?—Yes; I cannot give you the population of last year, but I can give you that of the year before.

1177. That is for the year 1900?—Yes.

1178. How have you arrived at that population?—We have that from the returns.

1179. You mean perhaps the census of 1891?—No, no; it is much later. We get it from the Municipal returns. Claremont had a population then of 15,000, and it is now 18,000, I think.

1180. Do you mean to say it has gone up 3,000 in one year?—No, I am not quite certain. I was told the other day it was 18,000, but I don't know exactly.

1181. That is the Municipal census?—Yes. That of Claremont 1,785 houses. Rondebosch population 5,500, number of houses 850. Mowbray 7,500 with 1,050. Woodstock 30,000 with 3,000 houses, and Maitland 2,500 with 388 houses. Total houses, 7,073.

1182. You have mentioned Maitland, but that is not included in your area under the Act?—No.

1183. How does it come in?—We have been supplying them with water, but now that it has a separate Municipality we have been considering the point of leaving Maitland out.

1184. You are under no obligation to supply them?—No.

1185. You supply them so far as you can spare the water from other consumers?—Oh yes, we like to supply people who take water instead of whisky.

1186. It would be better to send the water to Maitland than to the railway people?—Yes, it would.

1187. And of course you will contemplate supplying Maitland because at the same time you contemplate enlarging your supply?—We are not yet out of the wood in regard to a sufficient water scheme.

1188. You are building a reservoir just now, what is the estimated cost of that?—£71,000.

1189. What is the capacity of it?—30,000,000 gallons.

1190. And are you raising money for that?—That was the new loan which we submitted to the London Market only a few weeks ago, but we did not succeed.

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1191. £71,000, and it would only give you a capacity of 30,000,000 gallons ?—It is the cheapest tender we could get.

1192. How is it being built ?—With concrete mostly. It is at a very high level, and out of it we would be able to supply the highest points including the Walmer Estate in Woodstock.

1193. Have you any figures to compare that cost with ?—No.

1194. Do you know what the Woodhead Reservoir will cost ?—Do you mean the one on the mountain that leaks ?

1195. We will assume that it does not leak, but do you know the capacity ?—No. I did know; I also knew what it cost, but I have forgotten. I think it would be something similar to the one which we intend to construct if we carry out the Steenbras River Scheme, but our reservoir is quite different, as it has to be excavated, and a much more expensive piece of work. In their case there is only a wall to be built, and that throws the water back over a large tract of country.

1196. Are there no other places in your neighbourhood to build a reservoir ?—No. That reservoir is for the purpose of storing mountain water, and also water which might come from any other scheme that we may adopt would go into it and be distributed from there.

1197. You don't defend the actual cost; it is inevitable ?—I do defend the cost because it is the lowest tender we could get.

1198. Apart from that would you admit that the cost is comparatively high for the capacity ?—No.

1199. Suppose I mention to you a town where there is a 90,000,000 gallon reservoir, which cost only £16,000 some ten years ago and is still in good order, what would you say ?—I would say that the question of cost depends upon the formation of the country.

1200. The question of storage is one which the Commission will have to enquire into, and what I want to find out is, how you can build a reservoir for £71,000 which will hold only 30,000,000 gallons of water and at the same time deliver it to the consumer at a very low rate ? I may say, for instance, that the Woodhead Reservoir cost £140,000 and has a capacity of 225,000,000 gallons ?—Well, suppose that we take the Molteno Reservoir, what is the capacity of that, and what does it not cost ? That is a fair criterion. We don't wish to be compared with the Woodhead Reservoir.

1201. The question is, is it an inevitable cost, or is it a fair cost ?—I think it is fair.

1202. And it is not an excessive cost to the ratepayers in your opinion ?—No; you must bear in mind that the building of a reservoir to-day would cost very much more than it would have cost to build seven or eight years ago.

1203. But how far would your supply be augmented by an expenditure of £71,000 when the storage capacity provided for that money is only 30,000,000 gallons; if the water brought from the Steenbras River had to be stored in this reservoir your supply would soon be exhausted ?—I don't think so.

1204. *Dr. Gregory.*] You pay £217,000 for virtually a supply of half a million gallons a day when you took your servitude supplies ?—No, I won't say that.

1205. You supply 349,000,000 ?—349,000,000 were pumped last year, but beyond that there is a supply from the mountain which is not pumped, you must add a considerable amount to that.

1206. How much did you supply last year then ?—Our daily consumption last year was 1,075,000 gallons per day.

1207. Did that include the servitude ?—That includes the pumping and the mountain supply.

1208. That includes what Mr. Ohlsson takes ?—No, exclusive of that.

1209. That is 1,075,000 gallons per day ?—Yes.

1210. Then you pay £217,000 for that ?—Well, we paid that for the whole concern.

1211. So that if you spend another £71,000 on a reservoir it would make a total expenditure of £300,000 ?—In round figures.

1212. Do you think that compares favourably or unfavourably with what you would get from one large scheme such as the Steenbras River or the Oliphant's Hoek River ?—If I was satisfied that from either of those schemes you could get your water supply direct by gravitation, then of course in the long run it would cost much less than the present system which we have; you cannot get away from that.

1213. But I gather from your evidence that you will sooner or later have to take up some scheme ?—As the population is increasing it would be absolutely necessary to do so.

1214. Would it not have been better to have undertaken a main scheme for the whole at once?—No; it was better to take over the water works then.

1215. I understand then that the schemes having been put off so long, it became absolutely necessary to acquire the Cape Town water works to meet the present needs?—I won't say that exactly.

1216. I mean the question has been put off so long by the different local authorities that it became necessary to do something at once as a matter of urgency, and with that view it was considered better to secure the Cape District Water Works?—True, within another year or two there will be such a demand for water that we cannot supply it, and if this 30,000,000 gallon reservoir is finished it would fill during the winter, and that would mean months' supply to us.

1217. If there had been some foresight on the part of the Council in adopting a comprehensive scheme some years ago, it would not have been necessary to undertake this comparatively expensive one of the Cape District Waterworks?—I don't know; we have thought it right to do it.

1218. You mean that the Cape District Waterworks rights would have interfered with a subsequent scheme?—They might have clashed.

1219. And therefore it was better to acquire the Cape District Waterworks scheme as a preliminary?—Just so.

1220. Have you any catchment area for the Cape District Waterworks?—Not much.

1221. Then your new reservoir is practically simply required to store surplus water in the wet season?—Rain water.

1222. But the rain water would imply a catchment area?—Yes, we have a sufficient catchment area to fill this reservoir without a drain on any of the springs.

1223. How many acres does your catchment area consist of?—It is the whole slope of the mountain, from the boundary of Mr. Rhodes' place on this side it extends right through to the boundary of his farm on the other side.

1224. Is that your own land?—Yes.

1225. So that you can conserve it?—Yes; I forget the area now.

1226. *Chairman.*] It belongs to the Water Board?—Yes, it is all that wooded country, with here and there a small plot of private property, some of which we have bought out.

1227. *Dr. Gregory.*] But if your reservoir is going to depend upon the catchment area, what steps are you taking to preserve it?—There are no steps necessary, and by the time that the reservoir is ready we shall have all the springs and streams that I have spoken of which will run into it.

1228. And it will have to fill up from the catchment area?—Yes, we are only going to fill this reservoir during the winter, although we might do so by pumping in summer.

1229. That is then the surface water?—Yes.

1230. Who owns the water?—We; it falls upon our grounds, and we collect it.

1231. This is surface water that actually falls on your ground?—Yes, our ground extends right up to the cliffs.

1232. And will you take steps to prevent pollution?—It is not necessary, no one can pollute it.

1233. You say it is a valuable asset? In which way?—In supplying us with an additional water supply, and if at any future time we should decide to sell it in plots, it would realise a large amount. It extends right down to Newlands Avenue, and that part would be valuable for building.

1234. *Chairman.*] All that land you got with the Company's assets which you bought?—Yes.

1235. *Dr. Gregory.*] You are at present really not meeting the demands?—Well, up to the present we have; we have refused no application except that from Maitland.

1236. And the Railway Department?—Yes, we cut them down; although it is really a matter of a few years only when it will become a very serious question to us. I think within the next two years or eighteen months.

1237. And something has got to be done within that time?—Yes.

1238. You say you have been giving part of the supply of Woodstock to Cape Town?—No, we have not been giving it.

1239. You had to give it?—Yes.

1240. And I gather from what you say that you really don't wish to have Woodstock in your scheme?—No, we get on very well, but Woodstock is always troubling.

1241. The tendency of your evidence is that you would rather not supply Woodstock?—I want a man to get on with me, not always seeking something new.

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1242. For certain reasons they are working with the Board with some difficulty? It is very difficult for me to say, but they consider that Oliphant's Hoek is a gold mine to them compared with the other.

1243. But is it not your opinion that it is far better to run the water supply under one Board and that it would not be the right measure to let Woodstock separate off?—Do you mean by one Board Claremont, Rondebosch and Mowbray?

1244. As many as you can bring into it?—No, I would not be favourably disposed towards that. I would not personally consent to the present Board of Claremont, Mowbray and Rondebosch being swallowed up by a larger Board, because that would materially tell against us.

1245. In what way?—We would make them a present of a very valuable asset—the Albion Spring.

1246. And you are running this as a commercial concern instead of for the benefit of the public?—No.

1247. Is not the dribble system considered a bad one generally and that it is better to supply the water direct?—I may say there is a great deal of difficulty. I believe in neither the dribble system nor the meter system, and would prefer the zone system.

1248. What do you mean by the zone system?—A full supply for a certain time and then withdraw the water.

1249. That is only a matter of service?—Yes, it is distribution.

1250. But amongst householders there is a consensus of sanitary opinion that the dribble system is a bad system for the householder to take his supply from? It is because it is stored in indifferent tanks?—That is the fault of the proprietor.

1251. Oh, no; but from a health point of view?—You will be surprised in what state people keep their tanks sometimes, as I noticed an instance in Cape Town the other day.

1252. From a public health point of view, people should take their water from a meter direct from a main?—Yes, that would be better.

1253. Now, does not your charge varying from two to three pounds per meter rent militate against that?—You can hardly expect us considering our youth and the fact that our ventures are in the nature of experiments to be quite perfect, but I daresay that in course of time as things develop, we should be able to improve upon many of these systems at present in vogue.

1254. You are running it now as a commercial venture?—Yes. Suppose we ran it at a loss, it would mean a tax on the landed proprietors.

1255. Yes, but you are not running it at a loss; you are putting all the revenue into permanent works?—We cannot get out of it just now; I don't see how we can do with less construction at present.

1256. Is that not an argument that you should have one Board with proper powers and exercising authority over all these areas?—That is quite another thing to have proper powers; that is where the Act is deficient and the Board has not the proper powers.

1257. If it had the proper powers do you think it would be better to take in a larger area under one Board?—No, that I do not agree with. I don't believe in one Board taking the control of the whole water question in the Peninsula, I think it would be a failure.

1258. Why?—Because you will have no universal treatment. I may be wrong, but that is my opinion.

1259. You have not had that experience as far as the water is concerned with the four districts?—We have a case now with Woodstock. Wynberg have their own scheme and their own supply and they get on very well.

1260. But you will admit that it would be very much more expensive to run each one with a separate staff?—I am not so sure.

1261. Who is your Engineer?—Mr. Wright.

1262. And what does your staff cost you annually?—£1,702 10s. was the amount paid for salaries last year, and includes the Secretary, Engineer, and whole staff.

1263. Would not that sum be duplicated again if Woodstock went out?—Yes, I daresay it would, but then I take it that Woodstock will be able to look better after its own interest.

1264. But don't you think that the best human forethought could arrange schemes for these several places where the units would be looked after?—That requires consideration.

1265. The principle of absorption and amalgamation: is not that a sound one?—Yes, to some extent it is, but I don't know whether I can apply it to the waterworks.

1266. What things do you advocate it in?—Drainage and sewage; there I think we have to drop into one basket.

1267. And where does water differ from drainage and sewage?—In this way, that we have a valuable asset in the case of water. Woodstock has no valuable asset like we have.

1268. But Woodstock has put its liability into it?—Yes.

1269. It is of value?—Yes.

1270. And you will have to pay it out?—That is where you are wrong.

1271. *Chairman.*] Suppose the Sheriff was asked to raise this £217,000, how would he get the money?—He would sell the whole concern and take the money.

1272. But is not that money to be regarded as a loan under the Public Bodies Debts Act, and, if the money had to be realised, would not the proper course be for the creditor to apply to the Court to levy a rate to that amount?—Yes, I suppose to some extent.

1273. Therefore it is a joint liability and is equally divided between the Municipalities so that each Municipality would be liable for one quarter of the capital invested?—To some extent; but still that is not exactly what I mean. The position I hold is this, that we have jointly and severally purchased certain things. No money has passed; one of the parties wants to withdraw, and he would be allowed to do so if the others agree to take over the liabilities and assets.

1274. *Dr. Gregory.*] Suppose that Woodstock borrowed its share of the liability and paid in the money?—It cannot do that, as the Act provides for it. But that is just our difficulty: Woodstock is always wanting something or other and we can do nothing without her consent.

1275. *Mr. Gurney.*] But then Woodstock has not made any proposal to withdraw, it simply wishes to be allowed to augment its water supply at its own cost?—No, it has not made a formal proposal to withdraw, but Mr. Behr, the Mayor, asked me one day how we would view it if Woodstock withdrew.

1276. That is not formal?—No; no proposition has been made. They want our supply and then take their additional supply as well.

1277. Suppose Rondebosch and Mowbray were to decide to take up a water scheme, do you hold that you could interfere with their getting a second supply on their own account?—We have just submitted that point for legal opinion and have had no reply yet.

1278. *Chairman.*] The Act is deficient?—Yes, the Act is wanting.

1279. *Dr. Gregory.*] You say that the two schemes would be a very expensive thing?—Yes, but Woodstock is going to develop a great deal, and it will have to supply Maitland, Milnerton and other Suburban areas. Our original idea in taking both schemes was to get one supply for the whole of the area.

1280. Why did you go back upon that?—Because Woodstock kicks.

1281. Then the principle of amalgamation is good, but the attitude taken up Woodstock creates a difficulty in working?—Yes.

1282. So that if you had a Board with proper powers, it might work?—No, the Act should be amended so that the majority could decide.

1283. Your principle is all right, but there is a flaw in the working?—Yes. With us the idea has been a large scheme to supply all the water that is necessary, even Cape Town and the Docks, when they ran short.

1284. All that is required is better machinery?—Yes, and the consent of Woodstock.

1285. You said you were not quite out of the wood yet as regards the water schemes; what do you mean by that?—We cannot come to terms without Woodstock.

1286. So that it comes round to the one thing again?—Yes, the Act.

1287. *Mr. Gurney.*] In spite of what you said, the Oliphants Hoek is considered a very good scheme; now which scheme would you advocate?—I would advocate both schemes if Oliphants Hoek could be obtained.

1288. But would not one scheme be sufficient?—No, not for the whole of the future requirements of all the suburbs, as there will be a tremendous demand for water soon, and even supposing either of them were sufficient, I would take Oliphants Hoek before Steenbras River.

1289. Why?—Because the water is purer and better. It is similar to that of Witte River and is not off-coloured like the Steenbras River.

1290. You say Mr. Rhodes purchased the rights of the Witte River for £10,500, but many of the riparian rights have gone back to the owners, so that he does not possess the whole thing?—No, the farm is where the water rises, and he possesses the source of the riparian rights.

1291. And then you think this could not be acquired now without great cost?—It is difficult to say, people don't cultivate now like they used to along the river, and it may be possible to obtain these rights at a reasonable figure even now.

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1292. You said that the Woodhead Reservoir was leaking, what grounds had you for that?—I saw it in the papers.

1293. What is your reason for borrowing at 5 per cent. from the bank instead of at the lower rate at which local bodies usually borrow from 3½ to 4 per cent.?—Where?

1294. In the London market?—We have tried the London market, but failed.

1295. Why did that fail?—That is the question. I have my own opinion on that point. I should not like to give expression to that here, but one reason is, I think, it was put in at the wrong time.

1296. Then don't you consider that with a properly constituted Board with proper powers there would be no difficulty in getting credit and loans?—No, I believe there has not been a better thing put in the London market than the one we put forward, and I think the English investors made a great mistake in not going in for it. But if you had proper power, in my opinion, the Board would have no difficulty.

1297. If you have an unanimous Board?—The Board was quite unanimous.

1298. But there is a certain disunion?—No, not the slightest effect would that exercise, but there is something else behind it.

WEDNESDAY, 16th APRIL, 1902.

Present:

Hon. Sir Bisset Berry (*Chairman*).

Dr. A. J. Gregory.	Mr. W. E. Gurney.
Dr. A. J. Anderson.	Mr. T. Stewart.
Mr. J. E. R. de Villiers.	Mr. T. N. Dyer.
Mr. Lawrence.	

Mr. Samuel Tonkin further examined.

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1299. *Chairman.*] When you left off your evidence the other day we were just beginning to put you some questions with regard to the roads and streets of Mowbray; do you claim that your streets and roads are in fair order?—Yes, in reasonable order.

1300. How do they compare with the section of the main divisional roads which pass through your area?—I think our roads are better.

1301. In the statement that you sent in I see that you spent £14,788 on street construction?—I think the Clerk gave you the particulars.

1302. As far as you know that would be about correct?—I think so.

1303. And how much of this amount has been spent since the Act of 1896 was extended to the Municipality of Mowbray?—I cannot say, I take it that that Act will only apply to properties that would be subdivided after the passing thereof.

1304. Just so?—There have been no roads constructed on properties subdivided since the passing of the Act.

1305. The loan then was contracted before that Act was extended to your Municipality?—The bulk of it, yes. The statement from which you quote was prepared for the last five years. But we also raised a loan of £25,000 in 1899.

1306. That was from the South African Mutual Association?—Yes.

1307. And according to the returns sent in by the Clerk £14,788 appears as a portion of that loan?—All that, except perhaps £500, has been expended since.

1308. That loan was raised to cover indebtedness already in existence?—No.

1309. But I understand that this loan of £25,000 was raised in 1899?—Yes.

1310. Well, and the £14,788 for the expenditure of making new streets: had that been spent before 1896?—It could not have been.

1311. What I am trying to get at is this: the Municipal Amendment Act, which gave you the power to charge the owners of new lands in which new streets were being laid out the cost of construction, was passed in 1896, and I want to know how much of this £14,788 had been spent before the Act came into force, or how much has been spent in consequence of it?—I may say that none of it has been expended under that

Act, that is to say, the Act has not as yet become applicable to any constructions of this kind.

1312. You raised the loan in 1899 ?—Yes.

1313. How is it that in this return that sum of £14,788 appears as a portion of that loan ?—The fact is that a portion of these roads had been constructed out of the previous loan, and as the owners had aiso already paid a special rate towards the construction of these roads for two years, the Council thought it would be right that these roads that happened to be left should be constructed on the same basis as those previous to 1896, and the rates treated accordingly.

1314. But what period of construction would that £14,788 really apply to, because that is the point that I wish to get hold of ?—I don't know.

1315. How has the passing of the Act affected you then ?—It has not affected us up to the present time, but it will affect us soon; the rates upon the new portions which have been subdivided since the passing of the Act have not yet been levied.

1316. Then the net result is this, that you have not as yet taken advantage of the powers given you under that Act ?—No.

1317. What do you include in the making of a new street in Mowbray ?—We include the forming, making, kerbing and guttering. The street is not considered made until the kerbing and guttering is all done, and if any kerbing should be left it is finished afterwards.

1318. You have a good deal of that still to do ?—Yes; first we had to do the old roads and now of course the new roads.

1319. And compel the owners in that neighbourhood to pay half ?—Yes.

1320. What proportion of your streets within the Mowbray Municipality would still have to be made, or put in proper order ?—I should say more than half of them.

1321. How do you propose to raise money to do that with ?—We shall have to borrow more money when this loan is expended, to complete some of them with. Mr. Reid informs me now that three-fourths of our roads are already done.

1322. It appears from this return that the loan has already been expended ?—Yes.

1323. The whole of the loans that you have taken up ?—Yes; of the new loan now we have taken up £7,000, which is included in the £58,000.

1324. The statement shows two loans—one from the South African Association, and one from the South African Mutual Association ?—Yes, but we have raised another one of £21,000, which we had to take up.

1325. And that will all be expended in making roads ?—Yes, and for kerbing and guttering.

1326. What do you expect to be your rate in the pound in Mowbray in consequence of that borrowing ?—I don't think we shall require more than threepence next year, but of course it will depend.

1327. And the tenants' rates ?—That, I think, will be one shilling, the same as last year.

1328. You will have to go to the ratepayers ?—Yes, we give notice, and if there is any objection then a poll is taken.

1329. You did that lately with reference to the fourpenny rate ?—Yes; we are limited to twopence under the Act No. 45 of 1882.

1329 (a). According to the return I have here, there are $2\frac{5}{8}$ miles of Divisional Council roads within the boundaries of your Municipality ?—Yes, we calculate $2\frac{1}{2}$ miles as near as possible.

1330. You say your streets are generally kept in as good a condition as the Divisional roads ?—Yes, quite as good, if not better.

1331. There has been a good deal of discussion about that point, as to who shall have the control of that $2\frac{1}{2}$ miles of road ?—Yes.

1332. I suppose it is your contention that you pay too much for what you get directly ?—Oh, certainly, that has been our contention all through.

1333. According to this return, your Municipality appears to have paid to the Divisional Council £3,122 in respect of main roads passing through the whole of the Cape Division, and the proportion of that expended within the Municipality of Mowbray for the year would be £800 ?—According to those figures; but I am afraid that those figures are incorrect. Mowbray, unfortunately, forms part of two field-cornetcies, and the Divisional Council accounts are kept by field-cornetcies, and the roads consequently overlap.

1334. This is the Divisional Council return, and according to that the amount expended for the twelve months within the Mowbray Municipality is £800 5s. 3d. ?—Yes.

1335. And the extent within the Municipality of Rondebosch given at $4\frac{1}{4}$ miles has received an expenditure of £2,055 0s. 10d. ?—I think those figures are wrong.

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1336. Would you give some explanation of that?—They have their roads made by sections, the first section going up to and including Woodstock; then a section goes on which includes Rondebosch and Mowbray. There must be an error in the figures owing to the overlapping of these sections in the different Municipalities.

1337. But the error would be to your advantage? Yes.

1338. That is to say more is expended in your Municipality than appears here?—Yes, but it is a nuisance having no control.

1339. I am coming to that; the total amount raised for maintaining the roads outside the Municipal boundaries appears to be £13,415; have you any idea how much of that you contribute from Mowbray?—The difference would be between the amount which they expended within our Municipality and the amount which they received from our rates. They received from us £2,000, and they spent £800, so that we have been paying towards the up-keep of outside roads, £1,200.

1340. From the return it appears that they received £3,122, and that they paid back £800?—Then we would be contributing about £2,300.

1341. On this ground the various Municipalities in the Peninsula have made complaint of the Divisional Council in that Municipalities are over-taxed for the maintenance of extra-municipal roads, and that the roads within the Municipalities are not maintained in that condition of efficiency that the Municipalities believe the amount of money that has been exacted warrants?—Yes.

1342. That is a grievance that you have in common with all the Municipalities?—Yes.

1343. And it has been the subject of a Conference between you?—It has been.

1344. I have here a copy of the minutes of the Conference that was held somewhere about the beginning of this year, and I understand you attended that Conference?—Yes, I did.

1345. Certain resolutions were adopted?—They were.

1346. The general effect sought by these resolutions, as far as I understand them, is to put the Municipalities in a better position with reference to the control of the roads within their own boundaries, and to ease taxation in respect of the roads outside their boundaries?—That is it.

1347. A resolution was passed to that effect unanimously?—Yes.

1348. As far as I understand, the Conference resolved that a copy of the resolution should be sent to each of the Municipalities for their consideration?—Yes.

1349. And acceptance or otherwise?—Yes.

1350. What was the result in the Mowbray Municipality?—Our Council passed a resolution, which was sent to the Divisional Council; I think it was to the effect that our Council should take over the roads within our Municipality; there was a division of opinion as to whether we should pay anything at all towards the up-keep of the country roads.

1351. Then your Council did not adopt the resolution of Conference?—No, not fully.

1352. Have you an individual view about that question?—My individual view has been from the beginning when there was a Parliamentary Commission, of which Sir James Innes was Chairman, sitting upon this question some years ago. I said then that the Municipality should have control of the roads within its area, and that it should contribute towards the up-keep of country roads; that was my private opinion then, and I am still of the same opinion; I moved to that effect at the Conference, but my Council are not all of that opinion.

1353. The resolution appears to have been moved by Mr. Gibbs and seconded by Mr. Ball?—That may be another; I proposed a resolution on the lines indicated.

1354. And you adhere to that opinion?—Yes.

1355. What is meant by contributing their *pro rata* share according to the Municipal rating value of their properties?—The Divisional Council, or whoever may have the making up of the country roads, would make an annual estimate of what they would require for the year, and then after deducting the money raised outside the Municipalities, the difference to be raised according to the value of the property within the Municipalities, dividing it between them in *pro rata* shares.

1356. That is to say the share is to be proportionate to the amount of their separate valuations?—That was the idea; yes.

1357. This would work out to something like this: suppose the amount stated by the Divisional Council was £10,000, then after deducting the yield of the extra-municipal properties, the question would be the share of each Municipal unit toward that £10,000?—Just so.

1358. To find that you take the total municipal valuations of the Municipalities of the Peninsula and find the percentage that your valuation bears to that total?—Yes; what percentage we would have to pay.

1359. Then there is another resolution which was proposed by you, "that the main and municipal roads passing through these Municipalities be maintained by the said Municipalities"?—Yes.

1360. Do you still adhere to that?—Oh, yes, fully.

1361. And saddle yourselves with the liability?—Yes.

1362. Then I see another resolution proposed by you, "that the various Municipalities have the same rating powers as those possessed by the Divisional Council"?—Yes.

1363. Those are practically unlimited?—I think it is unlimited, but that makes no difference, because the rates that would be levied under the Divisional Council Act to exercise the powers which might be given to us would be appropriated to the making of the roads which the Municipalities take over.

1364. Is that clear from the resolution?—It is clear to my mind.

1365. But would not the resolution mean that you want that power in addition to what you already possess?—That is just what I wish to explain; the wording of the resolution should be "That the various Municipalities should have the same rating powers as those possessed by the Divisional Council *for the construction* of divisional roads." That is how it should have read; there was no idea that the Municipalities should have a rating power to levy any figure without going to the ratepayers. The idea is to enable them to keep up the divisional roads in addition to the roads they already have, and that for that purpose they should have the same rating powers. If I may put it by way of illustration: supposing the up-keep comes to £1,000, then we should levy a rate that would yield £1,000.

1366. On their own property?—Yes; in addition to the rate of two pence which they have the power to levy under Act No. 45 of 1882. And that resolution was carried unanimously by us.

1367. Is it not very ambiguous?—The Conference clearly understood the resolution.

1368. The resolution was a substantive resolution?—Yes, but the Conference clearly understood it was for the purpose of enabling the Municipalities to keep up divisional roads. I see there is a word or two required in the resolution to make it perfectly clear; the words "to enable," or some such words, should be inserted, because that was the intention at the time and clearly understood by the Conference. I had no idea whatever to spring increased rating powers upon the inhabitants, but only to raise money for the up-keep of the roads

1369. You will admit, however, that there is an ambiguity about it?—Yes.

1370. As it stands the only impression it conveys to me is that the Conference was of opinion that the Municipalities concerned should have the same unlimited rating powers which were given to the Divisional Council?—No, that was not the intention.

1371. And I think it is so that there is no limit to the rating power of the Divisional Council?—No, there is no limit.

1372. Then this is clearly an error and should be corrected?—Yes.

1373. Would it not be a simpler plan that the Municipality should have increased power of rating, and that they should levy the whole sum at once instead of making two bites at the cherry; suppose you find that a certain rate was required for this purpose you could simply include it in the ordinary rate for municipal expenditure?—Yes, if the powers are increased under the Act.

1374. You would have to have increased rating power?—Yes, we could not without that take over these roads.

1375. Would it not be better to do it by one rate?—Yes, that has been my opinion right through.

1376. And then pay out contributions if necessary?—Yes.

1377. Following the lines of the Conference I see it has been a question amongst the Municipalities as to whether they should be in favour of abolishing the Divisional Council or not; I am now going into these points because I understand from these resolutions that the Conference was in favour of the maintenance of the Divisional Council, and that an alternative was discussed. The full resolution adopted reads as follows: "That it is in our opinion desirable and necessary that measures be adopted for conferring upon the Municipal authorities of Cape Town, Woodstock, Maitland, Durbanville, Mowbray, Rondebosch, Claremont, Wynberg, Kalk Bay, Simonstown, Green and Sea Point, all the powers and duties in regard to roads at present existing and situate within the respective municipal areas and vested in the Divisional Council of the Cape, provided the various Municipalities are willing to contribute their *pro rata* share, according to the Municipal rateable value of their properties towards the up-keep of roads outside Municipal areas subject to special consideration being given to Kalk Bay, Simonstown, Maitland and

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Durbanville." That opened up the question as to whether the Divisional Council shall be reformed or ended or mended ?—Yes.

1378. And you seem to have come to the conclusion that it should be mended ?—Yes.

1379. Not ended ?—Well, I don't see how the country roads are going to be kept up if you end it.

1380. You propose that the Council should be reformed, and that the members should be elected by the Municipal Councils. On what ground would you support that resolution ?—I think Cape Town should send two members and the Municipalities each one.

1381. I mean on the principal of general indirect election ?—It does not come direct from the ratepayers; the Council would elect the members. I prefer this because such great apathy is shewn by the electors at Divisional Council elections, as, for instance, the other day they had an election out our way when only a very small proportion turned up to poll, and therefore I think it would be far better to have them elected by the different Councils; more interest will be shewn, and the members would have some control over the money. At present they receive our money and we have no control over it.

1382. That apathy may still exist in the mind of the ratepayers, although the election is indirect ?—Yes, but the ratepayers take a great interest in the Municipal elections. The election would be in the same way as the Water Board.

1383. Are you so satisfied with the working of the Water Board that you would have the Divisional Council elected on the same lines ?—I am perfectly satisfied with the manner in which that election takes place. The Councillors know more about it than the ratepayers, who take no interest whatever in our proceedings.

1384. I don't quite see how it is likely to give greater efficiency to the Divisional Council, that is my point ?—It will, because the members will have more interest; they will have the double interest of the Council as a Council, and also an interest in the Division.

1385. The question is of considerable interest to the enquiry by the Commission as to whether there shall be direct or indirect election ?—Yes.

1386. You are in favour of the indirect election ?—For that purpose, yes.

1387. Generally, what has been the fate of these resolutions in your Council ?—I think they have been favourably received on the whole.

1388. Have they been specially considered ?—Yes, I could have brought you the resolutions, if I had known, which were passed by the Council in favour of the maintenance of the roads, the election and the contribution to the country roads. I am bound to say that that was not the opinion of the whole Council.

1389. Are you able to state what other method has been suggested for the up-keep ?—No.

1390. Can we get any of your opposing Councillors to speak for themselves ?—I think the conclusion was that the Divisional Council should keep the country roads.

1391. What difference would there be in the Municipality of Mowbray in this respect from all the other Municipalities throughout the whole country, are they not all in the same boat ?—I think so.

1392. There is nothing special about that interest down here ?—No.

1393. It is generally understood throughout the Colony that the Towns must contribute towards the up-keep of roads outside their boundaries ?—That is the general opinion.

1394. But there is also an opinion that they should not contribute ?—Yes, in the Conference there was a strong opinion.

1395. *Mr. Gurney.*] You have been making suggestions that the Divisional Council should continue and consist of representatives of each of the Municipalities and of the outside public; manifestly the Municipal representatives would be in an overwhelming majority under that scheme ?—I don't think so, not more than they are at present.

1396. At present they are not absolutely representatives of the Council, though they may be representatives of the neighbourhood ?—Yes, Rondebosch and Mowbray have a member for each, and there is one for Woodstock; the only difference is as to whether they should be elected by the body of ratepayers or indirectly through the Council.

1397. What I am driving at is, would not the natural result be when they are elected in the way you suggest: that the extra Municipal roads are likely to suffer ?—I don't think so.

1398. You don't think the tendency would be to economise at the expense of the extra Municipal roads ?—No.

1399. When you speak of the poor attendance at Divisional Council elections, you speak of Mowbray and Rondebosch only?—No, all over

1400. Would you be surprised if that is not the case in all?—I should be surprised.

1401. At Wynberg they take a great deal of interest in the Divisional Council election?—I thought that recently Mr. Allan was returned without any opposition.

1402. Yes, but that was because there was such a strong feeling that he was a very good man?—I think the apathy is shewn everywhere.

1403. The fact that the Divisional Council in its work has to pass through so many Municipalities makes it exceptional in the Peninsula as against the country?—Yes, and of course that means a great many difficulties for the Divisional Council whereas in the country they generally only deal with one Municipality.

1404. That tends to increase the friction?—Yes, that may increase the difficulty at this end.

1405. Has it occurred to the Conference that the extra-Municipal roads might be entrusted to the Public Works Department?—It was referred to in the debate; there were one or two who thought that the country roads might be dealt with in the same manner that they were before the Divisional Councils came into existence.

1406. That did not find support?—No.

1407. Was that perhaps due to the fact that it was regarded outside the bounds of possibility that the Divisional Council should altogether disappear?—I don't think the feeling was that the Council should entirely disappear.

1408. Would it not in your opinion simplify matters to hand it over to the Public Works Department, and then contribute towards the cost?—Yes, the grandest Committee in the world is one consisting of two with the second absent.

1409. Would you be in favour of that?—I should have no objection at all; only there would soon be an outcry that the Government is expending our money without our knowing anything about it; the ratepayers would take that view of it.

1410. In the matter of streets; in the amounts which the Secretary has sent us, £1,213 is shewn as having been spent on kerbing and channelling and charged to the rates; according to your evidence to-day, ought not that to have been charged to loan?—Some of the items were down that came out of rates.

1411. A deliberate act on the part of the Council?—Yes, certain sections were done upon resolution of the Council.

1412. Would the same apply to the side-paths?—Yes.

1413. And £3,714 4s. 10d. is charged to rates?—Yes, that is making up and repairing roads.

1414. No, permanent roads are charged separately?—But some of the roads have been constructed out of rates as well.

1415. That was deliberately decided upon?—Yes.

1416. *Dr. Anderson.*] We are not quite clear as to the proportion of streets that were made and those still being made?—I think about ¾ has been made.

1417. Can you supply us with the length of streets in Mowbray at the present time?—No, but I can send it to you.

1418. *Mr. Dyer.*] The mileage of roads outside the Municipality governed by the Divisional Council?—The mileage of roads both outside and inside the Municipality are given in the returns.

1419. Do you think that the present rate levied by the Divisional Council would be sufficient without a contribution from the Municipalities?—Well, my opinion is that it is a question of proper valuation.

1420. *Chairman.*] Do you have to pay anything for the watering of the streets in Mowbray?—Yes, we water the streets and pay for the water which we use, and the Divisional Council repay us a portion of the cost for watering their roads, which amounted last year to £62 10s.

1421. Do you pay the Board the same as the individual ratepayer does?—We pay 1s. 4½d. per 1,000 gallons.

1422. That is then a special charge?—Yes, it comes to the same as every one pays over and above their 200 gallons. I should like to say that I am not quite certain whether we have a special charge or not; they supply us by meter.

1423. And you use it for other public purposes as well?—Yes, some quantity of it.

1424. In the matter of lighting, how are you off in Mowbray?—We have a great number of lights, but the light is not good.

1425. Electric lights?—Yes.

1426. Supplied by whom?—The Electric Light Company in Rondebosch.

1427. Have you gas there?—No gaslights.

1428. Is there a distribution or supply of gas in Mowbray?—Yes, the Gas Company have laid their mains and are supplying the inhabitants.

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1429. You have no complaint to make then about the light?—Only that the light is not good.

1430. Have you remonstrated about that?—Yes, over and over again; the fact is they have not got the power.

1431. Have you any redress?—We have no redress; we are in their hands, and they have a monopoly.

1432. Is the electric light much used by the inhabitants generally in Mowbray?—A great number of houses have lights, but I cannot say to what extent.

1433. Is the same charge made generally by the Company throughout its whole area of supply?—For street lamps I think they have made the same charge throughout.

1434. And for domestic supply?—Not the same as the charge for the street lights. They charge us per lamp.

1435. To the individual consumers, is the charge the same?—Yes, by unit.

1436. How long has this monopoly been in existence?—Eight years.

1437. And how long has it still to run?—Two years from November next; we have a five yearly contract, which was renewed three years ago.

1438. Is it the same with the other Municipalities?—Their contract will expire at different periods.

1439. Are you at liberty to get another supply after that?—Oh, yes, we can then do as we like.

1440. Will there be any joint effort on the part of the different Municipalities to get a better order of things?—I have already spoken to our Council about it, and advised that we should at once advertise for tenders to run from the termination of our contract, because we have never been satisfied, even from the beginning.

1441. Do they give you sufficient energy?—They have not sufficient power, the light is weak.

1442. Have you had an expression of expert opinion to the effect that it is owing to insufficiency of power?—I have seen it myself; when the power is strong the light is good, but they do not keep it up. I don't think their machinery is strong enough.

1443. You will not be at liberty to use gas for public purposes until the contract expires?—I think we could.

1444. Do you think so?—Yes, but we could not replace what exists; our contract is that we pay for so many lights, and if we exceed those, as we have already done, we are at liberty to go elsewhere. We have gradually increased the number of lights, as they were needed from time to time.

1445. That is to say your contract is a minimum and you have exceeded that?—Yes, and they have not the exclusive right to supply us.

1446. Do you anticipate better effects now?—I have told the Chairman of the Electric Lighting Company that the gas lights were very much better than the electric lights.

1447. So that to a large extent the remedy will be in your own hands?—Yes.

1448. *Dr. Gregory.*] You speak about a monopoly, do I understand that the Cape Districts Lighting Company has the exclusive right of supplying electric power in the suburban Municipalities?—No, I don't think so.

1449. So that they have not really got the monopoly?—No, there is no concession.

1450. Has it ever occurred to the Suburban Municipalities to combine and provide their own electric energy in the same manner as Cape Town has done for itself?—The Councils have not jointly considered that question at all.

1451. It would be a feasible scheme, I suppose, to combine the same as they propose to combine for water and drainage?—Yes, it is quite feasible.

1452. And would it not be a desirable thing for them to combine with Cape Town to supply all?—It would be better for us to combine and have it from one source. The idea was that we could get it from the Tramway Company.

1453. Has the question received consideration?—This matter will have to be considered when the contracts begin to fall in, and that is the reason why I urged advertising early, so that the Tramways or Cape Town might tender.

1454. But instead of advertising to enter into another contract, would it not be preferable if you had a combined Board to deal with the matter and see what could be done towards a joint scheme for the suburbs?—I should prefer that if the profits were divided amongst the Municipalities.

1455. Such a scheme would be desirable if you could combine with Cape Town?—I don't know; it would be a big affair for Cape Town to send their lights out another eight miles.

1456. But eight miles is not the limit that they send electric power?—No; but the further you go the more expensive it becomes.

1457. It is not an unreasonable length?—No; but I should think that they have enough on their own hands.

1458. Suppose it would be possible, then it would be a desirable thing?—Yes, if we could get our light cheaper and better; but I should want a better light than the Cape Town lights, which are very bad just now.

1459. The best means would be, don't you think, a combined Board of some description?—Yes.

1460. So that the manufacturing of the power would be entirely in the hands of the local authorities themselves?—That is what I want.

1461. *Mr. Gurney.*] When you referred to the badness of the Cape Town lights, you mean the Municipal lights, and not the Railway Department or the Harbour Board?—Yes, Municipal only.

1462. *Mr. Stewart.*] Has your electric light always been bad?—From the beginning.

1463. You say that the Municipality of Mowbray consumed more light than they undertook to do in the contract?—Yes.

1464. Have you ever given the Company any forecast of the increased light that you would want?—Yes, they understood from the beginning. The increase is only a light here and there, perhaps one or two a month, just as circumstances require from time to time.

1465. The increase from year to year has been quite small?—Yes, quite small, comparatively.

1466. But you have never given them an estimate beforehand of what you might require?—No.

1467. You are in favour of a central station for the supply of electric light, whether in conjunction with Cape Town or on its own basis?—Yes.

1468. *Mr. Dyer.*] How much is the charge per unit for private supply?—1s. 9d.

1469. Do you know to whom the plant belongs—cables and lamps?—To the Company.

1470. They have the right to take those away when you terminate your contract at the end of the five years?—Yes, but I think they would rather leave them there.

1471. They will have to leave them to supply the private consumers?—Oh, yes.

1472. You say there is no concession, but I suppose they must have some kind of a concession if they have the right to put down mains and erect posts?—Yes, but no concession for exclusive supply.

1473. Can you tell us what the charge per lamp per night is?—7½d.

1474. *Chairman.*] Is this Company worked under a special Act of Parliament?—No, it is a private Company.

1475. And they get all their power of entering streets from the Municipality?—Yes.

1476 You require no special Act for that?—No.

1477. *Mr. Dyer.*] What is the furthest point from the power station?—It is exactly two miles to the outside boundary of Mowbray.

1478. Do they go beyond that point?—Not this way, but they go more than two miles the other way; they go three miles or more.

1479. I suppose you know that the longer the distance is over which the power is carried the greater is the loss in current?—Yes.

1480. Does the Company supply Woodstock?—No, they use gas.

1481. On the same condition that they supply you?—Yes, but the streets of Woodstock are lit by gas.

1482. *Mr. Gurney.*] You spoke of the Tramway Company supplying you, but is it not a fact that they have not sufficient power themselves?—They have a breakdown now and again.

1483. How far is the electric light sent by the Tramway Company?—I think about seven miles—to Plumstead, which is their terminus.

1484. *Chairman.*] Have you anything to say about the wash-houses at Mowbray?—Except that we have a wash-house at Rapenberg farm.

1485. You make a charge to the people who use it?—Yes.

1486. And the water, you supply that?—Yes.

1487. And the Municipality pays for that at the same rate?—Yes, I think 1s. per thousand gallons.

1488. And the people who go to wash have an unlimited supply?—Yes, they are not stinted.

1489. Who generally tenants the wash-house?—Women come there with their bundles to wash clothes, and we charge them 3d. per tub.

1490. You have tubs there?—Yes.

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1491. Washing is not allowed within the Municipality except at the wash-house?—No.

1492. What becomes of the water in the wash-house?—It is led away into the sand.

1493. And where would it go to?—We have not been able to find out.

1494. How far is Rapenberg farm from the Liesbeek River?—A long way; on the other side of the Municipality towards the Camp Ground.

1495. It is on the limit of the Municipality?—Yes, it is outside the Camp Ground road. If it drained into any river at all it would be into the Black River, but we find that it does not reach that even.

1496. And you have not been able to find out where the drainage goes to?—No, it is perfectly dry between the farm and the Black River.

1497. What is the extent of the ground there?—Very large. The drainage is led in different directions.

1498. And there is natural filtration going on in that spot?—Yes.

1499. Could you drain your sewers from the Municipality on to that farm?—No, because we should have to pump.

1500. It is higher than the generality of the Municipality?—Not higher as a whole, but the wash-house is higher.

1501. Could much of the Municipal area of Mowbray be drained or sewered on to the Rapenberg farm?—No, not much, because as I said before, it would have to be pumped.

1502. Are there any other public works about Mowbray?—The Town Hall.

1503. Any revenue from that?—We have a small revenue from it which has paid the interest.

1504. Any hospitals?—Yes, the Rondebosch and Mowbray Suburban Hospital is within the boundaries of Mowbray.

1505. Any Contagious Diseases Hospital?—No.

1505 (a). What do you do with Small-pox patients?—Send them to Rentzkie's farm.

1506. Have you had plague?—We don't want plague.

1507. The working of these wash-houses has proved a great convenience?—Yes, ours was the first in the suburbs.

1508. What did it cost you?—I think about £1,600 altogether.

1509. There is sufficient revenue, then, from the use of the wash-house to cover the money invested?—It does not pay for the water consumed; it does not cover expenses.

1510. Then the deficiency comes out of the general rate?—Yes, we prefer that to having the washing done in the river, where we allow no washing now.

1511. *Mr. Gurney.*] In the accounts rendered the loss is shown as £249 on the wash-house?—Yes, no doubt that would be it.

1512. Is there a caretaker?—Yes.

1513. *Dr. Gregory.*] You have a caretaker on the place?—Yes, he lives in a cottage attached to the wash-house, and we pay him 24s. per week.

1514. You are really running the wash-house at a loss?—Yes.

1515. Is it not a fact that the adjoining Municipality has a washhouse adjoining yours?—Yes.

1516. How far off?—Two or three hundred yards.

1517. And they run theirs altogether off their own bat?—Yes.

1518. Probably at a loss too?—Perhaps; they make the same charge.

1519. Practically the wash-houses are exactly alike?—Yes.

1520. It is almost not too much to say that it is ridiculous to have two wash-houses as near as that to one another, each with a separate administration?—I don't think so, because the building would have to be larger.

1521. Yes, but supposing you could have combined for this little matter, could it not have been done cheaper?—No, Rondebosch have a caretaker there who is also in charge of their stables which they have at the same place, and our caretaker looks after the dumping ground. We would be obliged to have two caretakers.

1522. But surely the two officers could have their work split up, one for the wash-houses, and the other for the other work?—Oh yes, but it works very well.

1523. Then you advocate it as a good thing to have two houses near to one another with two caretakers and exactly similar?—Rondebosch had no other ground, and it is only an accident that the two houses are so close together. The people from Rondebosch and Mowbray go to the respective places to wash.

1524. I admit that it is an accident that they are so near together, but it would be better to take a general scheme having a larger area than to have a number of little units?—Supposing that you had three Municipalities in one you would still be obliged to have four or five wash-houses on account of the distance.

1525. But here you have them close together?—But you see we both come to the boundary from the extreme ends, and it is quite an accident that these had to be built so close together.

1526. You have a Town Hall; how much did that cost you?—I think you have the estimate on the papers.

1527. The papers show a loan of £3,000 for it. Is that what it cost you?—No it must have cost more. Approximately I should think about £6,000.

1528. Out of what have you paid that?—Out of two loans One loan was for £12,500 and another of £25,000, and a portion comes out of the loan of £21,000. It was borrowed out of the loan of 1899 and paid back again.

1529. Your Town Hall cost you about £6,000 then?—Yes.

1530. Rondebosch also has a Town Hall?—Yes.

1531. I suppose you don't know what that cost them?—I think about £8,000, but I am not certain.

1532. And how far is Rondebosch Town Hall from the Mowbray Town Hall?—A little over a mile. I don't wish to speak as to the cost, as I don't know for certain.

1533. Does it not seem to you a very large expenditure for what after all are small local authorities so close to one another. Presuming you had one local authority for the combined area, you don't think they would have put up two Town Halls there?—No, I don't think so.

1534. Then practically there is very little to recommend the putting up of two Town Halls?—Except the absolute necessity for it. For about two years we had a small room about ¼ the size of this Committee room, and we wanted more space to carry on office work; we then bought the property and built the hall.

1535. But your Town Hall would practically provide accommodation for the staff administering the combined area?—No, it would not, neither would Rondebosch or Claremont.

1536. Not a building that cost £3,000?—No, unless you appropriated the Hall. Then we have let a room to the Library, which covers the outlay.

1537. For one Town Hall for the two Municipalities you would have to expend £14,000?—I don't say that; it all depends upon what kind of a building you go in for.

1538. It practically resolves itself into this: that each local authority must have a Town Hall, and keep up its prestige, and have a suitable building compared with the others?—No, I don't think so at all; there is nothing about keeping up prestige in the matter; we have simply gone in for what was absolutely necessary.

1539. Does your building only provide offices?—No, we have a Hall, and then there is a Library portion, which, as I said before, brings in a rental that covers the cost of the outlay.

1540. Then you consider that your Hall is really a revenue earning thing?—It is.

1541. You have spoken of a Public Library; that is also run on the lines of a library for the local authorities?—I don't know that it is; it was the first library in the suburbs; it went on for a long time and did well, the residents in other Municipalities found it was inconvenient to have to go so far for their books, and opened one in each of the other Municipalities; we have given them the room, and simply charged sufficient to cover the interest on the cost.

1542. You issue cab licences in your area?—Yes.

1533. And Woodstock also?—Yes.

1544. And Rondebosch on the other side?—Yes.

1545. None of these plying there would require a new licence if they crossed the boundary of the Municipality?—The regulations of Claremont, Rondebosch and Mowbray provide for that.

1546. And they have to continue at the same rate?—Yes.

1547. That is to say that you have had to combine virtually?—We jointly framed the regulations so that they should be similar, and they were all passed at the same time. The idea was that the cab-driver should have no right to stop when he comes to a boundary, but should go on at the same rate.

1548. It is questionable whether it is really a legal regulation?—That is for the Law Department to decide, as they passed them.

1549. You had practically to combine?—We did it because it was right as far as the inhabitants were concerned, and we did not want the cab-driver to play fast and loose with the fares. It was a measure to protect the inhabitants.

1550. Can a cab-driver licensed in your Municipality ply for hire without paying for a fresh licence in either of the Municipalities of Rondebosch or Woodstock?—Yes, the licences are interchangeable.

1551. Does that apply to Woodstock?—I don't know whether they have any cabs there, I have not seen any.

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1552. So far as putting the licensing of vehicles on a proper footing, you combine together—Mowbray, Rondebosch and Claremont?—Yes, we framed the regulations together.

1553. And you would say that that was practically combining?—Well, the effect is the same.

1554. You had a joint Committee to draft these regulations?—Yes, there were two or three from each Council to frame these regulations.

1555. And that not only applies to cab-drivers, but to everything else, such as building regulations, speed, &c.?—Yes.

1556. Now what your good sense prompted you to do would be a very desirable basis to apply right through the Peninsula?—It would be a very good thing for the inhabitants as far as cab-hire is concerned.

1557. It would be a ridiculous thing if a man is riding a bicycle from Cape Town to Wynberg to be subjected at the latter place to a number of regulations as to speed?—Yes, it would be very awkward.

1558. As a matter of fact, that is what the Government has striven for to get one common speed to apply to all?—I think the speed should be similar all over.

1559. Yes, the Government has had the matter in hand to see that things are placed on a common basis?—I did not know that the Government had it in hand.

1560. You have combined for hospitals?—Yes, it is called the Suburban Hospital.

1561. You have combined for water?—Yes.

1562. And you are combining for drainage?—Yes, we hope to do so.

1563. And you are of opinion that it is possible to combine for lighting?—Yes.

1564. And as far as the Police are concerned you are practically combined?—No, we have nothing to do with the Police.

1565. Quite so, but it has to be combined?—We have nothing to do with the Police.

1566. No, not personally, but it was necessary for the Government to combine it?—Yes, the Government did, to bring them under one head.

1567. And then as regards cab licences and regulations, you are practically combined, and you are inclined to think that if it had been possible to combine for such things as wash-houses and Town Halls, you may have done so; so I take it that there is very little left for the Municipal Government?—Yes. We are all doing it alike, but separately.

1568. And in the long run you would admit that it would be preferable to get some local authority which could control it on a proper basis with proper power?—I am in favour of a board for water and drainage and electric light.

1569. *Mr. Stewart.*] Where did the washing take place before you built your wash-house?—In the river.

1570. Was that detrimental?—Yes.

1571. So that the building of the wash-house has improved the health of the place?—Yes, that is why we don't mind running it at a loss.

1572. Why did you put your wash-house where it is?—Because we had no other place.

1573. You could not dispose of the water from it in any other way?—No.

1574. That would have been possible if you had had a drainage scheme at the time?—Yes, then it could have been done, and it could have been put in a more central position.

1575. *Dr. Anderson.*] Have you any slaughter-houses?—None at all, Rondebosch has that part.

1576. *Mr. Dyer.*] You said the loss on the wash-house is about £50 a year, does that include the interest on the outlay?—No, only actual expenditure.

1577. *Mr. Lawrence.*] Was Mowbray a part of the Liesbeek Municipality?—Yes, and I was a member of it.

1578. Can you tell us why it was broken up again; it comprised the whole of the Suburbs from Mowbray to Wynberg?—Yes.

1579. It included Wynberg and Woodstock?—Not Woodstock.

1580. Why was it broken up?—That is a long story.

1581. Will you tell us as shortly as you can?—There was a good deal of feeling existing when they tried to form a company for water.

1582. *Chairman.*] That was in 1886?—Yes; it fell through because the people at Home would not advance money unless there were rating powers, and there were no rating powers. Then someone suggested that they should get a rating power through the Municipality, and that, of course, set up the backs of the inhabitants; some went in with the deliberate object of wrecking it.

1583. *Mr. Lawrence.*] Is that why the Liesbeek Municipality came to grief?—Yes.

1584. The members went in with the intention of making it unworkable?—Yes, I came in afterwards, and there was a contest between those who tried to make it a success and those who opposed. Eventually the breaking-up party succeeded in carrying the day by a majority of one.

1585. But did they find it difficult to work such a large area?—No, the mistake was in breaking it up; I think it would have worked if it had gone on, although as far as Mowbray is concerned it benefited very considerably by the change. They hardly did anything for us, which was the same thing when we were a portion of Rondebosch, and we only made headway when we became a Municipality ourselves.

1586. I suppose there was a good deal of jealousy?—Yes.

1587. You don't anticipate anything of that kind when you go in for combined schemes, such as drainage, water, and so on?—I don't think for such items as those, because they are general needs.

1588. *Chairman.*] That was a Municipality under the old Municipal Ordnance?—No, under Act No. 45 of 1882.

1589. Under the Scanlen Act?—Yes.

1590. That Water Bill was brought in not by the Municipality but by the Company?—Yes, in the first instance.

1591. The Company did not form itself for the purpose of supplying the Municipalities which lie over this way?—Yes, is that the present Company you are speaking of, or the old Company?

1592. The old Company?—No, the Water Company was formed first, and there was no public authority.

1593. Then you went to Parliament to get powers for yours in 1886?—Not for water; we were under the Scanlen Act.

1594. In 1886 a Bill was brought in to empower the Liesbeek Municipality to acquire certain rights on Table Mountain for a Water Scheme?—It was then that the split took place.

1595. Then the Council was in existence in 1886?—Yes, a report was given on the Table Mountain Water Supply; that was the one that we wanted to go in for.

1596. What was the manner of your breaking up, was it done by resolution?—Yes, by resolution; the fact was this, that the Municipality was going in for this scheme, and there was the other scheme also, so that is how the trouble arose.

1597. But how did you break up, in what manner?—By vote of the Council, and by petition to have the boundaries of the Municipalities altered. It was first formed into three—Wynberg, Claremont, and Rondebosch, including Mowbray.

1598. Then they petitioned the Governor at the time?—Yes, the thing was done by the then Government.

1599. And you thought it was a wise thing to do on their part?—No.

1600. So as usual you blamed the Government?—I did not blame the Government.

1601. They could have refused the petition?—Possibly.

1602. How long was that Municipality in existence?—I think about four years.

1603. It was in existence the same time as the Company?—It ceased about the time when the Company came into existence. A portion of the Councillors wanted to go in for the Table Mountain Scheme and another portion for the Ackerman Scheme.

1604. Until that arose you worked very well?—Yes, fairly well.

1605. Then there were conflicting interests?—Yes.

1606. If you could alter your Municipal area in 1886, could you not alter it in 1902?—Yes, if we could agree.

1607. The two Municipalities might jointly petition?—Yes.

1608. What was it upon which you disagreed?—It is very difficult for me to say now.

1609. Was it matters connected with money?—I think a good deal of the disagreement was with regard to the administration, that is to say Mowbray had decided upon what they thought ought to be done, and Rondebosch had decided upon their line of action, and that is how the trouble arose which resulted in a petition going in to divide it into two.

1610. There is no way of altering your area now without encroaching on one or other of the Municipalities?—That is so.

1611. Do you think that the unification of your three Municipalities would be a good thing?—I think it is quite possible; their interests are one, and I think between the three they will agree fairly well.

1612. You have not met to discuss the question?—No, but we have met to discuss the question of water and drainage, and we have met also when we framed our regulations, so as to make them uniform as near as possible for the sake of builders and others.

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1613. Suppose you were to broach the subject again, would the existence of your indebtedness be any bar?—It might.

1614. Have you ever thought of how that could be settled?—I suppose we would have to pool the debts.

1615. Are you now speaking after deliberate judgment, or merely on the spur of the moment?—On the spur of the moment.

1616. You would pool the debts, and distribute the liabilities?—Yes.

1617. Could not any liability, if there were disagreement, be limited to the area in which it was incurred; that is to say if you will have a higher percentage of debt in one Municipality than in another?—That would be a matter of arrangement.

1618. It could be done on that basis?—It could be done.

1619. As a matter of fact, is it not done in countries like England?—Oh, yes.

1620. And then when it is done on that basis, the ratepayer gets his rate account specifying the various heads under which he pays. That is to say, if Municipality A.'s debt is three times that of Municipality B.'s, then Municipality A. would pay so much more of the total charge for indebtedness?—Yes, it could be worked out on that basis.

1621. The debts are to be pooled and the charges for the indebtedness shared generally?—Yes.

1622. You think that would be a fairer way than the other?—Of course anything that is fair is to my mind the thing to be done; whatever is fair and honest, just as in a partnership. After all the unification is only another form of partnership, and it would be done on the basis of what each one put in.

1623. What prevents unification? Is there sentiment behind this?—I suppose there is; you cannot get rid of it.

1624. Is there jealousy?—I don't think it exists now to the extent it did eight or ten years ago; we have got closer together, and our coming into contact about matters generally has had the effect of a better understanding.

1625. Can you say in what particular way a benefit would arise by amalgamation?—The benefit would be in getting a better water supply and an underground drainage, which will be useful to us all.

1626. And on general grounds that would be better and more economically done?—Yes, because for instance the three could bring a scheme which would give us a much better water supply than we would be able to do separately.

1627. Would you not be able to economise the salaries?—My own opinion is that as far as the salaries are concerned we would not be able to economise to any great extent. The salaries would not be materially altered, as the men at present employed have their hands full, and under the combined system we would have to employ about the same number of clerks and some would be receiving higher salaries.

1628. In the event of the area of the old Liesbeek Municipality, which now consists of several Municipalities, being taken, how would you propose to divide the representation of the Council?—What area?

1629. Claremont, Mowbray, Wynberg and Rondebosch?—I don't think the thing would work well if you take the four. I think it would work without Wynberg.

1630. Why?—Because Wynberg is distinct from the rest as much as it possibly can be. If the area right up to Kalk Bay were included in Wynberg, that is to say everything the other side Wynberg, in one scheme, and everything this side Wynberg in another scheme, then I think the thing would work.

1631. *Mr. Gurney.*] It is a geographical difficulty?—Yes, if there is to be any amalgamation, it should be Claremont, Rondebosch and Mowbray.

1632. The principal reason why you think Wynberg could not combine with the other Municipalities is on account of the geographical difficulty, the greater part of it being lower than the others?—Yes; there they have their own drainage scheme and water supply. I don't think it would work.

1633. Is there any reason why these difficulties should not be got over?—Their drainage is towards False Bay.

1634. How does that effect the case?—At this side from Claremont the outfall is Table Bay, on the other side it is towards False Bay. There would have to be two schemes, as they cannot drain towards Cape Town, and I am afraid the thing won't work.

1635. *Dr. Gregory.*] Then all the Wynberg drainage goes towards False Bay?—Yes, they drain in that direction; there may be a little on this side which would fall this way, but that could be taken round the hill.

1636. I understood you to say that $\frac{3}{4}$ of the Wynberg drainage fell into yours?—That was Mr. Olive's opinion.

1637. *Chairman.*] Is that correct?—No, I don't think so.

1638. But how does the drainage affect the question of union; is it a matter of sentiment or of geographical difficulty that the unification of Wynberg and the

three Municipalities is impossible?—There is nothing impossible from the point of view.

1639. Then it becomes a matter of sentiment?—Yes, sentiment rules the world.

1640. I want to get your views on the matter?—I don't think it would work.

1641. Ought we not to draw a distinction between sentimental causes and physical causes?—Yes, that is so.

1642. What is it that hinders you combining with Woodstock?—Woodstock should join with Cape Town.

1643. What is it that hinders you all from joining together?—Nothing but sentiment.

1644 *Dr. Gregory.*] Do you think if it could be made to work, that it would be to the common advantage?—I am doubtful to that extent.

1645. Why are you doubtful?—Take Cape Town, it does not seem to work in Cape Town; for instance, District No. 6 is always complaining.

1646. Then in the interest of Cape Town it might be better to unify the other Municipalities with it, as you may get representatives from the other Municipalities, who might help District No. 6?—That might be, but each would be looking after his own portion.

1647. Personally, the only amalgamation which you see at all possible is that between Mowbray, Rondebosch and Claremont?—That is my opinion.

1648. *Mr. Gurney.*] This won't meet the difficulty?—Yes, but I don't condemn the others, if it could be made to work.

1649. *Chairman.*] The real difficulty is the sentiment of the people?—Yes, you will find sentiment at Woodstock if you want to join them to us, and the same with Wynberg.

1650. *Dr. Gregory.*] Your Municipalities joining with Woodstock and Cape Town, would you consider that a suitable combination?—Yes, it might work.

1651. And Wynberg, Constantia up to Kalk Bay, would be a good combination? Yes, their interests are one.

1652. *Chairman.*] But you are prepared to join with Woodstock in drainage?—Yes, in drainage that would improve their outfall. The greatest cost is the outfall, and if the four others join then it will reduce the cost of Woodstock.

1653. That is on the supposition that there is no objection raised to the outfall?—Yes, that is another consideration.

1654. I gather your view of the Divisional Council is, that all the powers vested in the Council with reference to roads within the Municipal areas, should determine as far as the Divisional Council is concerned, and that the latter body should continue to exist for the up-keep and maintenance of roads outside the Municipality, but you don't believe in the abolition of the Divisional Council?—No.

1655. Would you say that you cannot get on without it?—There must be some authority to look after the roads outside the Municipal boundaries.

1656. But you said in answer to Mr. Gurney that you prefer these roads to be made by the Public Works Department?—Oh no, I said it was possible, not preferable. On general principle we would like to have something to say with regard to the expenditure of our money.

Mr. George William Tearnan examined.

1657. *Chairman.*] You have heard the evidence given by Mr. Tonkin, now do you generally agree with it, or are there any special points which you would like to bring to the notice of the Commission?—I agree with everything Mr. Tonkin has said, as he expressed himself here, and I would only emphasise the difficulty we have with the Divisional Council in the way of gravelling streets, and so on.

1658. You practically endorse everything that he has said?—Yes, more particularly with regard to the unification of the Municipalities.

Mr. Andrew Burnett Reid examined.

1659. *Chairman.*] Now, Mr. Reid, do you also agree with Mr. Tonkin's evidence, or do you wish to implement it in any way?—I agree with him generally, but I am very strong on the question of the unification of the Municipalities, for the same areas which he has mentioned, although if there were other areas which could be brought in practically and would tend to make things cheaper, I would have no objection. I consider that the water, drainage and lighting should be under one central Board.

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That would be for the area of Claremont, Rondebosch and Mowbray; but not as regards drainage and light, which could be extended right through if it were practicable.

1660. *Mr. Gurney.*] Would you like to see all difficulties removed by a combination once and for all?—Yes, especially drainage, water and light.

1661. Are you including Cape Town?—Well, no, I don't think I would include Cape Town, but I should have no objection as long as it could be made to work in practice. At present I don't think Cape Town should be included.

1662. *Chairman.*] Why?—I should have no objection in regard to the water supply.

1663. What is the reason for not including it in the same Municipal Administration generally?—Because I think it would be too large to be workable.

1664. Would it be too large?—All the suburbs would be too large.

1665. Is it not a fact that there is a growing tendency in England on the part of Municipalities constituted very much like the Municipalities up to Wynberg to come under one Board?—I think it would be a good thing in many respects. Of course, we have not the perfection that they have in England but it would be a good thing if it could be done.

1666. But is it not because things have not come to the perfection that they had hoped to bring it to, that they go in for unification?—Yes.

1667. All things would be better and more economically administered here under such a scheme?—Yes.

1668 And everything which tended to grant facilities for town life would be an improvement?—Yes.

1669. Do you see any physical difficulty?—No.

1670. Do you agree that it is a matter of sentiment, and not of Municipal indefeasibility?—Quite so.

1671. Then from the point of view of the indebtedness?—That could be got over, I think.

1672. *Mr. Gurney.*] You don't see any practical difficulties, but the difficulties that there are would tend to increase the longer the unification is put off?—Yes.

1673 And really the greatest difficulty is, of course, the advancement in the different local authorities?—Yes, you will improve things when you get the whole thing as a common interest.

1674. *Chairman.*] And we are dealing with the metropolitan area where the whole country would like to see good government?—Yes.

1675. This being a Metropolitan area, the Parliament of the country would have a special right to look into the matter of its local government?—Yes.

1676. This area is differently constituted from the others in the country, and even at Home Parliament has dealt differently with the Metropolis of London than with other Municipalities?—Yes.

1677. Is your view with the minority in the Council?—No, with the majority.

1678. And is that the view of the ratepayers?—I don't know.

1679. *Dr. Gregory.*] Is not the Cape Town Municipality practically different from all other parts of the Colony, as men have a personal interest in more than one Municipality?—Quite so, for instance, men at Wynberg or Mowbray may have an interest in the government of Cape Town, as they have their business there.

1680. *Chairman.*] The whole population seems to be of the same ideas and aspirations?—Yes, and they have the same needs, and before long they will have to join together.

1681. *Dr. Gregory.*] The difficulties really would be greater in preventing it than bringing it about, and in spite of the difficulties there is a unification taking place as regards drainage and water?—Yes, water, light and drainage.

1682. *Chairman.*] Are there any other special points upon which you differ from Mr. Tonkin?—No, I think Mr. Tonkin has expressed everything very well as far as I can remember; there may be small details, but they are of no importance, and there is nothing special that I wish to draw the attention of the Commission to.

1683. *Dr. Gregory.*] What Water Scheme do you particularly favour?—I don't favour any individual scheme, but I should be in favour of one which would supply the needs of the whole of the Peninsula for some years to come.

1684. *Chairman.*] Everything under one scheme?—Yes; make it as large as possible.

1685. That is in the direction of unification too?—Yes.

1686. And that would be more easily carried out if the Municipalities were amalgamated?—Yes.

Mr. Samuel Tonkin further examined.

1687. *Mr. Stewart.*] I understand that you have been acquainted with the water supply for the last twenty years, and you are acquainted with the report which Mr. Gamble made in 1881?—Yes.

1688. Do you remember the recommendation which he made at the beginning of that report?—It is a long time ago.

1689. He recommended that there should be one water scheme for the whole of the Suburbs?—Yes, he did.

1690. I understand it was attempted to float a Company, but it was not successful?—No, that was what the Liesbeek Municipality wanted.

1691. Then the Liesbeek Municipality was formed, and you gave evidence on the Bill, but then the Municipality could not carry out the scheme for the reasons you have given, and after that Cape Town and Wynberg went to Parliament, and, as it were, split the resources of the Cape Town Mountain?—Yes.

1692. In the Act which Wynberg got, was there any provision for enabling the other Suburban Municipalities to come into it?—I cannot say, but I think not.

1693. Was it not the case, that Claremont and Rondebosch were entitled within six months after the passing of the Act to claim a share?—I cannot say now, it is a long time ago.

1694. Anyhow, if they could, they did not exercise that right?—No, they dropped into the Ackerman Scheme which came in about the same time. I fought for it at the time in the Liesbeek Municipality.

1695. As a matter of fact, you spoke in favour of keeping the Liesbeek Municipality intact?—Yes.

1696. Do you know what Wynberg charges for their water per thousand gallons?—I don't know the price.

1697. It is about a shilling?—Yes, by meter.

1698. And the Waterworks charge 1s. 4d.?—Yes.

1699. So that the nett result of Claremont and Rondebosch not being able to go with Wynberg, is that they pay 1s. 4d. instead of the smaller charge?—If the Wynberg charge is correctly given, which I don't think it is.

1700. The result has been that the other Municipalities have to pay more?—Yes, in consequence of that split, no doubt we have to pay more.

1701. Assuming of course that there was sufficient water?—Yes.

1702. Does not this form an argument for the amalgamation of the Municipalities and for the creation of one Waterworks Board?—Yes.

1703. *Chairman.*] As a matter of fact, your Board charges more for the water than it cost?—We could not live if we did not.

1704. But you charge so much in excess of the cost that you are actually constructing works out of the balance?—Yes, for the present, but that won't last long.

1705 The price will come down?—Yes; the Waterworks Company carried it on as a commercial speculation previous to our getting it, and we are continuing the same rate of charges until we know where we are. You must remember we are paying five per cent. for the money. Any profits that may accrue will go to the Municipalities.

THURSDAY, 17TH APRIL, 1902.

Present:

Hon. Sir BISSET BERRY (*Chairman*).

Dr. A. J. GREGORY.
Dr. A. J. ANDERSON.
Mr. W. E. GURNEY.
Mr. LAWRENCE.
Mr. T. STEWART.
Mr. J. E. R. DE VILLIERS.
Mr. T. N. DYER.

Mr. Thomas Arnoldus Johannes Louw further examined.

Mr. *T. A. J. Louw.* 17th April, 1902.

[Mr Louw asked permission to correct a misunderstanding. It was stated in the papers in his previous evidence that he told the Commission that the Water Board had no power to levy rates; this is an error: the Board has the power to levy rates.]

1706. *Dr. Gregory.*] With regard to the levying of rates, there are apparently two things that can be done under Section 6 of the Act. You may levy a general rate which may be applied to paying interest on your loan and extinguishing the loan; that rate may be levied either by the Council or by the Committee of Management should the Council delegate the power to the Committee. Now, has such a rate ever been levied?—No

1707. And it has not been in contemplation?—No.

1708. You are paying interest out of your revenue?—Yes.

1709. Then there is power under Section 18 to fix a tariff of charges which is to be done either by the Council or by the Committee of Management, should the Council delegate the powers to the Committee; now, there is such a tariff of charges being levied?—Yes.

1710. That is, of course, where you get your revenue from?—Yes.

1711. Is that levied by you or by the Council?—No, it is not really levied; it is a continuation, just as we took it over. The Council has never given any instructions, but we do levy a rate indirectly. We collect the rates, but it is nothing more than a continuation of what it was prior to our taking it over.

1712. But that is levying the rate, and if the Council has never given you the power how can you as a Board levy it?—That is where you are wrong; we are not levying a rate.

1713. A water charge; the section of the Act reads as follows:—"The said Councils [that is Claremont and Woodstock] and in the event of the said other Council or Councils [that is Rondebosch and Mowbray] becoming entitled to participate as aforesaid such other Council or Councils or the Committee of Management, should the said Councils and other Council or Councils as the case may be, as aforesaid, delegate the powers hereinafter referred to, to the said Committee, are hereby empowered from time to time to frame and publish a tariff of charges by which the supply of water by private or other waterleadings for domestic, irrigating, industrial or other purposes, shall be regulated within the limits of the said Municipalities, and the payment for such supply shall be in accordance with such tariff, and are further empowered to make such regulations from time to time as may be required." Surely you must have had some powers given you by the Council in terms of that section?—The fact is that we are simply continuing on the same lines as the Company did before us, because when we took over, these rates had been levied by the Company and were in existence, and we continue the water charge.

1714. Then you are not acting within the four corners of your Act?—I think so, two members are conducting the management of the whole concern by delegation.

1715. Of course the Act is very indefinite as to how that delegation is to be carried out?—Yes, we are conducting, not only the water, but everything else in connection with the concern.

1716. They have delegated nothing to you?—The management of the whole concern.

1717. *Chairman.*] I see under section 1 of the Act that the acquisition includes the rights, properties, assets, liabilities and obligations of the Company which were handed over to you, and one of the rights of that Company was to make such a charge for the water and that right was handed over to you?—Yes.

1717(a). In consequence of that you considered it unnecessary for the Councils to give you special powers by resolution?—Quite so, it is a continuation; we took over everything as it was.

1718. *Dr. Gregory.*] It seems clear that you should have such power; suppose you instituted proceedings against a defaulter, would not such an objection be fatal?—We could recover. We had a case where such a defence was put up or was going to be raised, but when the hearing came on judgment went by default. If every small matter connected with the duties of the Board had to be referred to the Council for approval it would be very awkward, it would be nonsense.

1719. *Mr. Lawrence.*] You have a general delegation?—Yes, and if the delegates do not answer then it would be for the Councils to replace them.

1720. *Dr. Gregory.*] That is just my point—whether you have actually had the powers delegated to you?—Yes, we have the power.

1721. *Mr. Lawrence.*] Has there been a formal resolution of the Council?—No.

1722. *Dr. Gregory.*] Would it not then be quite possible for any of the Councils if they dissented from your actions to repudiate anything you have done?—No, I don't think that would be the case.

1723. *Mr. Lawrence.*] As the members of the Water Committee are delegated by the Councils you consider it sufficient?—Yes.

1724. *Dr. Gregory.*] And that is the way in which the Board is constituted?—Yes.

1724 (a). You have stated in your evidence that the vote on any subject had to be unanimous, and therefore Woodstock would always create a difficulty by preventing unanimity, and that was the reason why things could not be carried?—Yes, that is so.

1725. But now, Section 8 of the Act distinctly provides that three members shall form a quorum, and that all matters and questions shall be decided by a majority of votes of members present and voting at any meeting?—Yes, but there is another clause where it says that it must be done jointly. Any big matter has to be agreed to jointly by the Board.

1726. You are really referring to the augmentation of the water supply?—Yes.

1727. Acting jointly?—Yes.

1728. And that means that you must be unanimous?—Yes. In smaller matters we go by a majority; for instance, if, when we considered the Steenbras scheme, Woodstock dissented, we could do nothing, but if we wanted to raise the salary of our Secretary by £15 or £20 we would do that by a majority.

1729. You say it would be necessary to augment your supply under anycircumstances from some other source?—Undoubtedly.

1730. And you are personally in favour of the Oliphant's Hock source, but a proposal of either that or the Steenbras River source was under discussion. Now, both these sources are outside the Cape Division, are they not?—Yes.

1731. Therefore, as a Water Committee, you could not touch either of these schemes?—No, according to the Act we cannot touch them; we have no power, but the various Municipalities can take it independently of us; and if they did, and brought it to our boundary, there would be nothing to prevent us from buying it from them and distributing it.

1732. But that is a roundabout way of doing it?—Yes, but unfortunately it is the only way.

1733. So that you have really no power to augment your water supply?—No, not beyond our limits.

1734. But quite apart from that, any augmentation would mean an expenditure of more than £200,000?—Outside our limits, certainly.

1735. For general purposes you can only borrow under the Act to the extent of £500,000, so that you will not be able to raise the money for such a large scheme?—No, unless the Act were amended in that direction.

1736. Practically, it is impossible for you as a Board to undertake any scheme, whether Steenbras River or Oliphant's Hoek?—No, we could not, unless the Act is altered. It is, I may say, the idea of the Board, as soon as Parliament sits, to get the Act amended in the direction indicated; the Act is deficient.

1737. *Chairman.*] You don't take a share of the responsibility in regard to the framing of the Act?—No, but of course you only find out the defects in working it.

1738. *Dr. Gregory.*] The water which you supply to Woodstock really goes to it under something in the shape of a contract?—No, it is not a contract exactly, it is more or less an agreement arrived at between the Municipalities, but we do not only supply Woodstock with the quantity agreed upon; they get an over supply.

1739. And they pay you according to contract for that over supply?—They are entitled to a certain quantity under the Act; for the over supply they pay us one

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shilling and threepence. I think they pay us the lump sum annually for all the 200,000 gallons.

1740. Who collects the money?—They collect the money for area No. 1, and then they charge their own rate to the consumers.

1741. Now, in your evidence the other day, you said that Woodstock could withdraw from the scheme, if the other Municipalities consented?—No, I said the Board would be favourably disposed to such a proposal.

1742. As a matter of fact there is nothing in the Act to enable any party to withdraw?—No; there also the Act requires amendment.

1743. Then Woodstock cannot go out of it?—No; neither can we, nor, according to the Act, can they go in for the water scheme.

1744. *Mr. Lawrence.*] If they cannot go in and you cannot go in, how are we going to get the water?—I don't know unless Parliament meets quickly.

1745. *Dr. Gregory.*] You say the late Mr. Rhodes bought the rights in connection with the Witte River; did he buy it from the Syndicate or how?—Yes, from a small Syndicate who had bought the farm.

1746. Was that the syndicate which offered it to the Town Council of Cape Town?—Yes.

1747. *Chairman.*] Do you know this from your own knowledge, or are you merely speaking from hearsay?—I know it from a member of the syndicate whose letter I can put in if you like.

1748. *Dr. Gregory.*] And you say it was offered to the Town Council?—Yes, at a certain figure—£120,000, I think.

1749. Were you a member of that syndicate?—No.

1750. And you had no interest in it?—None whatever.

1751. *Mr. Gurney.*] Section 14 of the Act reads as follows:—"The said Councils, and in the event of the said other Council or Councils becoming entitled to participate as aforesaid, such other Council or Councils shall keep or cause to be kept a separate and distinct account of all moneys borrowed and all revenue received under this Act and of all moneys expended or set apart in pursuance of the provisions of this Act, and such an account shall until all sums borrowed under this Act shall have been repaid and the aforesaid debt as incurred extinguished, be annually prepared up to the 31st of December in each year, and shall be deposited and lie in the Municipal Offices of the respective Municipalities for inspection at all reasonable times by any ratepayer of either of the said Municipalities." Are you aware that the Municipalities have apparently ignored that clause?—The accounts have been supplied to the Councils, and they have been placed upon the table for the inspection of the public—that is, the accounts from the Water Board.

1752. But they have no entries whatever in their books or in their accounts?—But what would be the use, why should they have them? Where does it come in? No money has passed between the Municipalities and the Water Board. All that was required we have done, inasmuch as we have submitted our accounts to the Municipalities, and these accounts have been on the table for inspection. The Municipalities have kept no accounts.

1753. The asset of the Water Committee has been spoken of as a valuable asset, and it really belongs to the four Municipalities?—Yes, jointly.

1754. It is not in any sense a commercial concern?—Yes, it is.

1755. And the share of each of these four Municipalities comes to one-fourth of this valuable asset?—Yes.

1756. And each has paid its share of the purchase price which was borrowed from the Bank?—No; I don't agree that they have paid separately the purchase price. It was borrowed in a lump sum, and no money passed through the Municipalities.

1757. But it did not pass through the Board's hands either, and yet the Board paid it on behalf of the Municipalities on receipt of four guarantees?—It passed through the books of the Board.

1758. And should similarly have passed through the Municipal books?—You may think so; I think there is no necessity for it.

1759. Is not this quarter share of each Municipality in the Suburban Waterworks just as much an asset as the Town Hall of each of them?—No, because the Town Hall is different; that is an asset of the Municipality for which a loan is raised by the Municipality and paid for by money which passes through the books of the Municipality, whereas the Water Board is distinct entirely, and does not touch the Municipality books; it is so to say the formation of a different company.

1760. But that does not seem to be according to this section of the Act, where it says distinctly " . . . the said Councils shall keep or cause to be kept a separate and distinct account of all moneys borrowed and of all revenues received under this

Act and of all moneys expended or set apart in pursuance of the provisions of this Act, and such an account shall until all sums borrowed . . . ." and so on?—If it were necessary an entry could be made in their books: but there it would be a mere figure, and what for?

1761. Supposing that this Commission found itself ultimately in a position to recommend to Parliament the amalgamation of certain Municipalities, the question would arise what assets each of the Municipalities possessed; surely any one of these could be said to hold quarter share of this important asset?—Well, you will then get the answer from all the Municipalities, "This is the amount of the purchase price, we each own quarter share."

1762. Well then the quarter share is an asset just as much as the Town Hall?—I don't say that, but I quite see your point, it is a matter of account.

1763. Supposing such a thing as an amalgamation of Cape Town and Woodstock took place, should not Woodstock still possess the quarter share even though it was not taking water? Would it not be entitled to say, "I hold a quarter share in that flourishing concern"?—No, they would have to go altogether; we have legal opinion on the point, and I think you will find that it goes the other way.

1764. *Mr. de Villiers.*] Counsel's opinion?—An attorney's opinion.

1765. And what about the liability?—We would take that over. To take an illustration, the position would be this: Claremont possesses a Town Hall; as a Municipality we can sell that Town Hall and build another, but we cannot sell our quarter share of the Waterworks; we cannot dispose of that.

1766. *Dr. Gregory.*] That only means that it is not negotiable?—Yes.

1767. But it is an asset all the same?—Yes, but you cannot dispose of it; if Woodstock did not want the water it would have to go.

1768. *Mr. Gurney.*] If the amalgamation took place, and they no longer wanted the water, on what ground would you force them to give up that asset at the price which it cost?—That is where our Act wants amendment.

1769. Could they not hold on to their asset even though they took no water from you but got an independent supply?—That is a point upon which I am not prepared to offer an opinion. Of course they could not get out of their 200,000 gallons.

1770. You never in any way assisted the Harbour Board?—No.

1771. But you have assisted Wynberg?—No, but we have assisted Cape Town—I mean the old Company did some years ago.

1772. Did you not supply Wynberg by putting a small connection above Kenilworth?—Not during our duration.

1773. *Mr. de Villiers.*] You say you did not want Woodstock to go out, because they wanted the Oliphant's Hoek scheme to themselves, and at the same time they wanted to keep their share with you?—Yes.

1774. But you have a greater demand than you can meet, why not then let them go out and simply supply them with what they might want?—You would have a bigger supply for distribution elsewhere, such as the railway?—Simply because of the legal opinion.

1775. If they wanted their own supply it would be to your advantage, or in any case, you would not lose by it?—The case is too complicated.

1776. There are fittings which I take it will remain your property, and you could continue to supply them through those fittings?—Yes.

1777. Well then, if they wanted another supply of water why not let them have it?—If they wanted it from the sea let them have it.

1778. The new reservoir, would that be high enough to supply the whole of Woodstock?—After due deliberation we decided upon the height of the reservoir; all the levels were taken—and especially to satisfy Woodstock—and it was found that we could from this reservoir supply the highest point.

1779. *Mr. Stewart.*] Have you as Chairman of the Waterworks Board seen the evidence taken before the arbitration court between the Suburban Waterworks Company and the Municipalities?—I have only been Chairman during the last six months.

1780. You don't know if the existing Water Board possesses a copy of it?—No, they don't.

1781. Have they copies of the gaugings taken of the various sources of their supply for a number of years past?—Well, if they have not got the one I don't believe they have got the other. These are questions, I think, that could better be answered by the Secretary.

1782. *Chairman.*] We don't contemplate examining the Secretary separately, unless it becomes absolutely necessary to do so on material points which he alone can supply, and I shall be glad if you would inform us from time to time of such points?—Well, that is one point.

Mr. *T. A. J. Louw.* 17th April, 1902.

1783. *Mr. Stewart.*] My reason for putting this question was because you stated when you were examined the other day that certain gaugings of the Albion Spring and other sources had been taken ?—I got that information from our Engineer.

1784. I want the gaugings for a series of years ; we know that the flow of certain springs varies, and therefore such information would be of very much value ?—Last year we pumped more than any previous record.

1785. Can we get those gaugings ?—Oh yes ; if the Secretary is able to supply them you shall have them, but of course he can only give them since the Board has been in existence.

1786. The question is the permanency of the various sources ?—All we know is that the supply from the Albion Spring during last year has been much more than it has been in previous years.

1787. That is exactly what I want to get at ; in some previous years it has been less ?—I don't know, but last year we pumped more.

1788. And therefore I should like to know what the gaugings of previous years were ?—I will put it fairly : probably we pumped more last year, and therefore we did not perhaps get more because the spring was so much stronger this year. Virtually we took more out of the spring this year but whether the spring was stronger this year than in former years I cannot say.

1789. *Chairman.*] Will the gaugings really show what the real flow of the spring has been or only what you pumped out of it ?—Only what we pumped out of it.

1790. *Mr. Stewart.*] Can you tell me when the gaugings of the Poplar and Snake streams were taken ?—One was taken in February and the other last week.

1791. Had there been any rain shortly before ?—Not much ; not in February certainly.

1792. Could you give us the exact dates when these gaugings were taken ?—I don't think I have the exact dates but they can be supplied—sent in by the Secretary—if you like.*

1793. Can you tell me when the gaugings of the Fernwood water was taken ?—That was also taken about the same time—there may be about a week or fortnight difference—but it was about the same time. Our Engineer will know and the information can be supplied.*

1794. What do you make the total quantity which you will get from these three sources ? You gave the information the other day as about 100,000 gallons per day, not taking in the whole of the Fernwood water ?—I said that the increase from the Snake and the Poplar streams would be 38,000 gallons, and that if we could get the one spring from Fernwood, that would yield another 50,000 gallons. We cannot expect to get the whole of this estate's water.

1795. How much do you expect then altogether ?—100,000 gallons per day.

1796. How long do you think that will last you ?—Not very long, but the advantage would be that the springs being at such a high level we would be able to supply that part of Claremont which is called the Paradise Estate and which we cannot supply now. But this would not be considered as a material augmentation of our future supply.

1797. You told us that you know the Witte River ?—Yes.

1798. To make it a little more clear for the members of the Commission, could you describe where the Witte River rises ?—You almost want a map for that; it rises somewhere near the French Hoek Mountains, and flows along Du Toit's Kloof to the southern side of Wellington until it empties itself into the Breede River more to the east.

1799. Was it the whole of the Witte River that the syndicate of 1892 proposed to sell to Cape Town ?—Yes, I believe it was the whole of the flow, because at certain seasons of the year the farmers along the valley turn out all the water; in fact, I have been informed on good authority that during the very dry seasons all the water has been turned out by putting up a small embankment.

1800. Have they the right to do that ?—They must have it by prescription by now, if they had it not otherwise. It is a great many years now that they have exercised that right.

1801. Is the channel there sufficiently large to take the whole flow of the river ?—From information which I have had upon the subject I think it is sufficiently large.

1802. Is it within your knowledge that the quantity of water cannot be increased beyond what the channel has carried since 1852 ?—No.

1803. You gave us certain gaugings, on what knowledge were those gaugings based ?—Upon information which I received from one of the members of the syndicate.

*See note at end of evidence.

1804. Can you tell us when the gauging was made?—About ten years ago.

1805. At what time of the year?—That I cannot say.

1806. You don't know the gaugings made in November, 1892?—No, I don't know.

1807. Have you ever heard of certain gaugings made for the Town Council of Cape Town?—No.

1808. When it was given at only $2\frac{1}{4}$ million gallons in 24 hours?—Is that the whole flow?

1809. Yes, coming over?—No.

1810. One gauging made by the City Engineer of Cape Town for the time being? I don't know.

1811. You stated that £120,000 was the amount asked by the syndicate?—Yes.

1812. What did that cover?—It covered all the riparian rights below, and the purchase of the farm with the water rights.

1813. The riparian rights below where?—Right down from the top of Wagonmaker's Valley where the water goes over the Nek to the Berg River.

1814. There are no water rights on the Witte River itself until it reaches the Breede River?—No.

1815. Have they hard and fast agreements that all the riparian rights of the farms concerned in this water were offered?—Yes, but I only know of it from hearsay.

1816. Then there would be the cost in bringing the water of that scheme over and above the purchase price?—Of which scheme?

1817. I mean the whole cost. Cape Town would have to pay more if they take it over?—I don't know.

1818. Have you any idea of the distance from Cape Town?—About forty-five miles; that is going through the Koeberg.

1819. It would be a very costly proceeding?—Probably.

1820. *Dr Anderson.*] Can you supply the Commission with the amount of money that you spent out of revenue on the capital account?—Well, that is on pipes and mains.

1821. Yes, new mains since you have taken it over?—In 1901 the additions amounted to £2,116 4s. 6d., and in 1900 to £290 17s. 8d.

1822. *Chairman.*] What are you quoting from?—The Balance sheet.

1823. Can all these accounts be put in as they have been supplied to the various Councils?—Oh, yes, they can be supplied.

1824. Then the information that Dr. Anderson is asking for now would appear in those returns?—Yes.

1825. As Chairman of the Water Board, would you see that the Secretary supplies the Commission with the evidence taken at the time of the arbitration?—Do you want all the evidence, because it is very bulky?

1826. All the evidence taken at the arbitration, if it could be obtained?—It is impossible.

1827. Well, so far as it is practicable then?—It is awfully voluminous.

1828. *Mr. Dyer.*] Was it ever printed?—Not that I know of.

1829. *Chairman.*] The evidence has been referred to and it ought to be available?—Well, all I know is that our Secretary has been informed by Mr. Moore that he could peruse part of the evidence at his office, and it is very voluminous.

1830. We would like a search to be made, or at any rate, an endeavour, to get it for the Commission?—I think the best course would be for the Secretary to make enquiries whether it has been typewritten; I am under the impression that it was, and if so a copy might be obtained for the Commission.

1831. It appears that you took the opinion of Counsel on the question of the legality of one Municipality withdrawing from their agreement. Could we be supplied with the case submitted to Counsel and also with his opinion?—No, we took an attorney's opinion on the question of the Municipality going in for an independent water supply.

1832. Can we get that?—Yes.

1833. And we should be glad if the Secretary would furnish us with copies supplied to the Councils in terms of Section 14 of the Act from time to time?—Yes.

1834. Then we should like the Secretary to supply us with the gaugings of the springs taken in February in addition to that of the Albion and the Kommetje Springs?—Yes.

1835. Indicating the dates when the gaugings of the Snake and Poplar Streams and the Fernwood or any other source were taken?—Yes.

1836. Am I take it that the Mowbray Municipality was the first to initiate in recent years the proposal of getting the water from the Steenbras River?—No, it was a joint affair between Mowbray and Rondebosch.

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1837. They did take some steps, however, to get a supply some years ago, and recently renewed the proposal?—Yes.

1838. Was it their proposal to work their supply through the Board?—That I cannot say.

1839. Was any approach made to you?—Lately both schemes were submitted to the Board, that is to say since the Board has been constituted.

1840. With a view to having the water supplied to consumers through your Committee?—Yes.

1841. So that they are working in harmony with you and not independently?—Yes.

1842. And the same applies to the Oliphant's Hoek scheme?—Yes, the proposal was that we should take over the whole of the scheme and supply the water through our Committee.

1843. So that it is an element in both schemes that the water should still be supplied through your Committee?—No, Woodstock has withdrawn and they want to bring in their own scheme.

1844. And Rondebosch and Mowbray, have they made a similar proposal?—No, they are sticking to their original proposal.

1845. You are the Mayor of Claremont Municipality?—Yes.

1846. And the Municipality has appointed delegates to give evidence before this Commission?—Yes.

1847. But now that you are here, we should like to have your ideas on the points that have been referred to the Commission generally?—Yes, but I think it is hardly fair. I am here in my capacity as representing the Water Board, and it was not my intention to give evidence upon Municipal matters.

1848. Have you the same objection to give your evidence generally upon the question of amalgamation or of the relation of these Municipalities to the Divisional Council?—No, these are large questions upon which everyone knows my opinion, but I don't care upon entering into the internal arrangement of the Municipality.

1849. You are not a member of the Divisional Council?—Yes, I am.

1850. The members are elected by wards?—Yes.

1851. What ward do you represent?—Claremont and Newlands.

1852. You are the only representative?—Yes.

1853. And you live in Newlands?—Yes.

1854. There is an opinion about the advisability of discontinuing the present plan of having the main roads passing through Municipalities maintained by the Divisional Council? Is it your opinion that it is desirable to alter it?—I have held all along that all the roads within the Municipalities should be taken away from the Divisional Council and given to the Municipalities to maintain. In fact the dual control has the result of making the interests between the Municipality and the Divisional Council clash, and it should be done away with.

1855. Could you mention any specific instance as showing how that dual control affects the interests as between the respective Councils?—There is the question of valuation; the Municipal valuation and the Divisional Council valuation show a great discrepancy between them. Then there is the question of the construction of the roads. The Divisional Council comes into the Municipalities, although I must say they keep their roads in fair order; still there is always a good deal of grumbling, and the people object to paying double taxes, and it would be better to have one rate; besides I think it would be cheaper.

1856. Then the principal grievances are inefficiency and expensiveness?—Yes.

1857. On the question of valuation you have not so much to complain about as other people; you are valued by the Divisional Council at £1,172,000, and by the Town Council at £1,273,000?—Yes, but where the grumbling comes in is that nothing near the amount which is exacted from us and spent on the roads within the area.

1858. You mean that a great deal more money is raised for Divisional Council purposes within your area than is spent in your area, and that the excess falls heavily upon the ratepayers?—Yes, we pay for others.

1859. But is not that universally the case throughout the whole Colony?—I believe attempts have been made in the past to get an Act passed exempting the Towns from Divisional Council taxation.

1860. There you share a general grievance?—Yes.

1861. And if you took over from the Divisional Council the maintenance of the Divisional Roads within your own boundaries and maintain them at your own cost, would you propose to give any contribution towards the maintenance of extra Municipal roads?—No.

1862. Would you make their cost and up-keep and construction entirely a charge upon the districts through which the roads run?—Yes; there has always been a great

deal of grumbling, and in consequence the outside people have been relieved of toll duty; and therefore they might pay towards the up-keep of their own roads. Besides we know that the average properties on farms outside are not valued as high as the properties in town.

1863. How would you propose that a fair valuation should be ascertained?—That will work out itself. If you cut off the town and leave the outside wards to the Divisional Council they will ascertain whether their taxation is too small for the maintenance of the roads, and they will level up accordingly. Again, if they find even when they have levelled up that the rate is insufficient, they will put a proper valuation upon their property.

1864. From these returns it appears that half of the Divisional Council revenue in the Peninsula is taken from Cape Town?—Yes, that is a special grievance, which falls on Cape Town as well.

1865. What return does the Divisional Council make to Cape Town in respect of this large contribution?—I don't know.

1866. They have no roads to maintain in Cape Town?—I don't know.

1867. Don't they make a special grant to Cape Town?—I really cannot tell you.

1868. Is it not so that an amount is handed over by the Divisional Council to the Municipal Council in respect of rates collected?—I cannot tell you; there is something of the sort, I think.

1869. In the case of Claremont, I find that last year the Divisional Council raised £4,885, and spent upon the portion of the road going through your area £1,476. That shows that a much larger amount of money is raised in your area than is spent in it?—That is the grievance.

1870. Here is another instance: There was spent last year on roads outside the Municipality £13,500, and there was raised in the way of revenue from the area outside the Municipalities only £2,829. This is only about a fourth part of the whole amount that is spent on the extra Municipal roads?—Yes, that is so.

1871. Your proposal with reference to that is that the extra Municipal property should be practically saddled with the whole of the extra Municipal expenditure?—Yes.

1872. You are not in favour of giving any contribution at all?—No.

1873. Would not the Municipalities derive some advantage from these roads?—Well, then you must follow up the whole matter right through; for instance, taking the main road to the Paarl, the Divisional Council would only be responsible to maintain it up to its boundary, but I am prepared to admit that these roads lead, more or less, to the big centres.

1874. A road like that to the Paarl is what we would call a highway?—Yes.

1875. Don't you think that the maintenance of the highways of the country should be contributed to by all of us?—Yes, but don't saddle us with the lot.

1876. There may be a difference of opinion as to whether we should contribute this or that amount, but I want your opinion on the general question?—I am of opinion that the Government should take over all the highways, and that the charge should be against the general revenue.

1877. *Mr. Gurney.*] Would you let the extra Municipal properties off of all the costs?—No, they have to maintain Divisional roads.

1878. And the road going through Newlands is a highway, I presume?—There is a difference, I think; all we say is: take away the Divisional Council from us, and we will maintain all the main roads within our boundaries. The highways outside those areas to be maintained by the Government, and the outside branch roads to be maintained by the Divisional Council.

1879. *Chairman.*] Was not that a plan that existed at one time?—It was before the House, but it was not carried.

1880. There was what is called a Road Board?—I don't know.

1881. It was found not to work very well?—I don't know; it must have been before my time.

1882. Would not the tendency be for highways in outlying districts to get neglected if they were to be looked after solely by the Government?—You mean when they are under Government control?

1883. Yes.—Why should they neglect them? they don't neglect the railways.

1884. Ah, but they get all the traffic and the revenue from the railways?—That is another question.

1885. But, speaking generally, do you think it would be safe to entrust this work to the Government?—Yes, I trust the Government.

1886. But would you be in favour of the Government levying any rate for the purpose of maintaining highways?—No, it should come under general revenue.

1887. There would have to be taxation then, I take it?—No, no special taxation.

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1888. Government would have to make up their revenue?—They can work it into their Budget somehow.

1889. *Dr. Gregory.*] Tolls?—No.

1890. *Chairman.*] And the Government would have to establish a system of inspectors, road parties, &c.?—They have got inspectors all the same.

1891. They have no working parties on every road?—No, but they have inspectors.

1892. Do you think it would be economically done?—Well, I don't know, but still I suppose it is the best proposal. I would do it on the same lines as you work the railway.

1893. And would you ask for no local contribution?—I don't know, it much depends as the country developes, and what would be classified as highways. I think the whole of the Colony has got the necessary highways, and that the roads which will be hereafter constructed will be branch roads which will have to be looked after by the various Divisional Councils.

1894. Then, would you have two parties working in the same Division—Government with the highways and the Divisional Council with the other roads?—There will be no clashing; there might be competition. which is very good.

1895. Is it your opinion that the inhabitants of the Peninsula suffer any disability by the number of Municipalities which now exist?—Well, I don't know, I could not tell you the opinion of the population exactly, but I know my own opinion.

1896. Well, speak for yourself?—I say we have too many small Municipalities altogether for the suburbs, but on the other hand I am not in favour of one big Council for the lot; Wynberg stretches the other way; Rondebosch, Mowbray, Newlands and Claremont live in one basin, and might be formed into one Municipality, as their interests are identical.

1897. *Dr. Gregory.*] Not Woodstock?—No; I take it Woodstock would go to Cape Town or remain by itself.

1898. By having one Municipality you would have a much smaller staff and do away with many of the extra hands?—Yes, the area, after all, of these four Municipalities is very small; Claremont has 4,000 acres, Rondebosch 2,000 acres, and Mowbray 1,400 acres.

1899. What advantage would there be to that area in dissociating itself from Woodstock and Cape Town?—The interests are not the same, although in the matter of drainage we meet Woodstock in the outfall.

1900. *Mr. Gurney.*] You are not putting Woodstock out of that on account of the dispute about the water?—No, Woodstock goes another way.

1901. *Chairman.*] But what difference does that make?—The watershed of Wynberg goes in a different direction, and Woodstock goes in another direction, whereas, the other Municipalities are all in one basin and have the same interest.

1902. But what is the reason for bounding a Municipality by the nature of its watershed?—I think there is a very good reason for it.

1903. You don't want to say that there is only one watershed in Cape Town?—It is only one basin.

1904. But there is more than one watershed in Cape Town?—No, only one.

1905. Now, is it not a fact that four-fifths of Wynberg can be drained by way of Claremont?—It goes the other way towards False Bay.

1906. Not all of it?—None comes our way, I am certain of that.

1907. What reason is there in the nature of things why an area simply because it has a different watershed from a contiguous area should not, be associated with it in forming one Municipal area for administrative purposes?—Because they are differently situated. Wynberg has its own waterworks and drainage, which goes in another direction.

1903. You fall back on the drainage, but is it not a fact that Wynberg is going to construct sewage irrigation works in their neighbourhood?—No; they are going to drain in the direction of False Bay.

1909. They are not going to drain into False Bay?—No, but into some lake in that direction.

1910. But there is nothing in that which prevents Wynberg joining Claremont for Municipal purposes?—They don't pull together.

1911. Now we are getting at it, it is because they don't pull together; can we not make them pull together?—I don't think so, but you may try.

1912. Then you give up the drainage objection?—No, it has also got something to do with it.

1913. *Mr. Gurney.*] You speak of the different interests being the difficulty in effecting a union, and yet Sea Point and Cape Town have joined?—Yes, but Sea Point cannot save itself.

1914. *Chairman.*] Is it not so that this difference of interests is only an imaginary one?—No, if you were to poll the public, you will find that it is not imaginary but real.

1915. I am trying to get at the reason for the belief? Perhaps it is all sentiment?—To a certain extent.

1916. I am trying to find out why, if these Municipalities join, they could not work harmoniously; is it not a fact that many men living in Wynberg have businesses in Cape Town?—Yes.

1917. Then there is identity of interest?—The residents who live in Wynberg and have their businesses there far outnumber the others.

1918. But where is the diversity of interest?—They hold different views from the man who has his business in Cape Town, because they like to localise their interests.

1919. Then you fall back on the one point: that Wynberg opposes unification because of its local interest in its own area?—Yes.

1920 Now, is it not very much a matter of sentiment?—I daresay that has something to do with it.

1921. And how are we to get over that sentiment?—I don't know. Napoleon once said "Give me a grain of sentiment and I will conquer the world."

1922. There is no insuperable difficulty?—There is no insuperable difficulty, but we cannot drain Wynberg.

1923. Could you not point out to us a way by which a union of these Municipalities could be effected?—No, Wynberg will not join.

1924. Don't you think the Engineer will get over the drainage difficulty?—He may; the Engineer will tell you that the different Municipalities have different courses of drainage.

1925. But how does that stand in the way of the union?—I don't know.

1926. On the other hand that does not seem to help you, your drainage must go to Woodstock, yet you object to join with Woodstock?—Our basin is sloping towards Woodstock, and therefore we join them for drainage, but if necessary we could do without them and they could do without us.

1927. Suppose you find it impossible to carry out that one big scheme?—Then we will buy a farm and drain on to the Flats.

1928. Well then, does not it come to this that drainage is out of it?—Yes.

1929. Then you could join with Wynberg?—No, they won't.

1930. Then it must be sentiment?—Yes.

1931. Then the result of your evidence on the subject is that Claremont, Rondebosch and Mowbray could be brought together?—Yes, and be a happy family.

1932. How are we to set about this?—The best way you can.

1933. If you get these together, what would you do with their debts?—I think we shall be about level as regards debts in a year or so, but I have not gone into that. At present Claremont figures the lowest, but it is difficult for me now to give the information. I believe our debt stands at about £31,000, and I think the other Municipalities of Mowbray and Rondebosch are higher.

1934. I see Rondebosch is given in the last return at £26,000?—It is much higher than that.

1935. *Dr. Gregory.*] Putting sentiment on one side, there is no practical reason why the whole of the Municipalities of the Cape Peninsula should not be unified?—You mean right on from Woodstock to Cape Point?

1936. Take it up to Kalk Bay; there is no practical difficulty?—No.

1937. Then really it is only sentiment that stands in the way?—Yes, but I don't know whether it will work, as it would be such a scattered area.

1938. *Mr Gurney.*] It would tend to economy?—No, it is too scattered

1939. Actually, the area is not larger than many of the great Municipalities in England?—I don't know.

1940 As a matter of fact, the meeting of Councils in an office is not affected by the largeness of the area they represent?—The area from here to Kalk Bay?

1941. Yes.—If you can get over sentiment, I have no objection to amalgamating the whole of the suburbs under one Board like the London County Board, because then you get into a bigger thing.

1942. *Dr Gregory.*] Matters such as drainage, water supply and lighting must be done better under one combined authority than to have it carried out separately?—Then it becomes a very big thing, and the question always arises whether we have the men in the Colony to attend to these things. I don't think we have. If you go in for a big scheme, such as swallowing up all the Municipalities in the Suburbs from Woodstock right down to Kalk Bay, you want men with sufficient time and leisure, and from my experience in all public matters of this kind, the difficulty to get such

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men has always been a great drawback. Then, if you cannot get such men to devote their time to such matters for love, you will have to pay them.

1943. Would not a large scheme like that attract men of good calibre who don't come forward now?—I do not think so; you will find that the Municipalities comprise the best men now—except myself—that can be obtained. Since I have been here for the last ten years there has always been a keen contest at Municipal elections, except a place like Rondebosch, where the interest is not so keen.

1944. But Claremont always had many good men like yourself coming forward?—We always look to the future.

1945. *Mr. Gurney.*] Your contention is that such a scheme might hold, but that it would be difficult to find men to devote their time to it?—If you can get over that, I am your man.

1946. *Mr. de Villiers.*] You told us that you considered that the main roads outside the Municipalities should be done by the Government?—All the highways.

1947. Have you any objection to the Divisional Councils doing the roads and charging the Government?—That is a matter of arrangement.

1948. Then you would not have those inspectors?—The inspectors are there all the same.

1949. Would it not be more convenient for the Divisional Council to maintain the roads and then charge the Government?—That is a matter between the Government and the Divisional Council.

1950. *Mr. Stewart.*] Is it not a fact that in the Municipalities houses are built higher up the slopes of the mountain than formerly?—Yes, especially as regards Woodstock. But they have also to a large extent to go towards the flats. Mowbray and Rondebosch cannot creep up any higher, Mr. Rhodes's property stopping them, and Newlands is stopped by the Waterworks, so they must go down to the Flats.

1951. And as regards Cape Town and Wynberg?—At Wynberg there is nothing to stop them.

1952. Then it would be some economy if, in the case of a large scheme from outside being adopted, a supply to the higher areas should be taken from the higher source on Table Mountain?—Not necessarily from Table Mountain.

1953. Supposing you cut off your lower levels, it would be more economical to supply the higher ones from Cape Town, if the water could be spared, than to bring the water over the Flats at high pressure in order to distribute it up the slopes of Table Mountain?—You will not have enough water, I am afraid.

1954. But assuming you have and you cut off your lower levels of the existing Municipalities and use Table Mountain water in the higher levels, would it not result in a saving?—I don't think so. Do you mean the Oliphant's Hoek River scheme?

1955. I am not referring to any particular scheme, but supposing water is brought from any outside source, it will be cheaper to supply the higher levels with water from Table Mountain than to bring the water across the Flats at high pressure?—I don't know; our information is that the water would be brought by gravitation to the highest level.

1956. But is it not the case that the higher the pressure the greater the cost?——Yes.

1957. Then it would be better, assuming that there is enough water on Table Mountain, that even the area from Cape Town to Wynberg should be a joint supply?—No, I don't know, because the District Waterworks will be able to bring the water up to a level higher than you will ever build. I am not referring to the pressure, which is an engineering point.

1958. Does it not stand to reason that, if you have to provide a pressure of 500 feet across the Flats, it would be much more expensive than to serve the higher levels from Table Mountain?—Yes, but will you have the water?

[Note.—The following return, supplementing the above evidence, was supplied on the next day by Mr. H. H. Rouse, Secretary to the Suburban Municipal Waterworks:

(*a*) The gauging of Snake and Poplar streams, at 38,000 gallons per diem, was taken on 1st April, 1902, before fall of late rains.

(*b*) The gauging of Fernwood Estate (all sources) at 157,000 gallons per diem, was taken on the 14th February, 1902, the height of the dry season.]

FRIDAY, 18th APRIL, 1902.

Present:

Hon. Sir Bisset Berry (*Chairman*).

Dr. A. J. Gregory.	Mr. W. E. Gurney.
Dr. A. J. Anderson.	Mr. T. Stewart.
Mr. Lawrence.	Mr. J. E. R. de Villiers.
Mr. T. M. Dyer.	

Mr. Edward Henry Heath examined.

1959. *Chairman.*] What is your name, Mr. Heath?—Edward Henry Heath.

1960. And you are at present resident in Cape Town?—Sea Point.

1961. What are you by profession?—I was lately the Secretary of the Suburban Waterworks Company.

1962. And at present?— I am working with Mr. Syfret.

1963. Were you a long time in the service of the defunct Company?—13 years.

1964. From the very commencement?—Yes, I was the first officer of the Company.

1965. And the capital of the Company was mainly held in England?—Yes, there were very few shareholders here.

1966. And they took over certain concessions for water supply which were already in operation?—Yes, all the water rights with the exception of Mr. Ohlsson's servitudes—a certain quantity out of the Albion Spring and the Kommetje Spring.

1967. Can you tell us the amount of water they hold from the sources that were handed over to them?—Yes, I have some information here, but the Waterworks Company took a record too. The original flow of the Albion Spring has greatly increased.

1968. But have you any statistics on the subject?—Yes, they were prepared for the Arbitration proceedings, showing the maximum and minimum gaugings.

1969. Where did you get those?—They were compiled by myself and the engineers in connection with the arbitration proceedings.

1970. Have they been in your possession ever since?—Yes; these are my private property.

1971. And what are they copies of, do you say?—Of the record of the gaugings.

1972. Taken by whom?—By successive engineers of the Company, and there has been a book kept in the office containing, for the period from 1893 to 1900, a record of the maximum and minimum gaugings.

1972. Would you put in the table?—Yes. [Table put in.]

1973. This purports to be an extract from the record of the gaugings taken for the period 1893 to 1900?—Yes.

1974. By the engineers of the Waterworks Company?—Yes, a record was kept in the office; there is a gauge-book.

1975. Is not that available for the Commission?—I should think so, but I am bound to say that it is not absolutely correct. There is a slight difference; the gauge is not properly constructed at the Albion Spring.

1976. Have you any record of the number of houses that were supplied by the Waterworks Company?—Yes.

1977. Can you put that in, in the shape of a return?—I have only the one copy but I could get copies for you. I have it as far back as July, 1893.

1978. That was about two years after the Company started?—The Company started in 1888.

1979. The earliest record of the number of houses supplied is from 1893?—Yes; it goes back as far as the 1st July, 1893. I have the total number of houses and the number which the Waterworks supplied.

1980. Will you read those to us, please?—Yes; the supply in 1893 was as follows:—Claremont: number of houses 1,125, of which we supplied 556, leaving 569 still to be supplied; Rondebosch: number of houses 583, of which we supplied 324, leaving 259 still to be supplied; Mowbray: number of houses 611, of which we supplied 355, leaving 256 still to be supplied; Maitland: the number for this place is

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more or less an estimate which I made, the number of houses being calculated at 407, of which we supplied 309, leaving 98 still to be supplied.

1981. And Woodstock?—Woodstock we supplied in bulk, but I estimated the number of houses at 1,200; that only applies to Woodstock No. I., because Woodstock No. II. had not been built then practically. Woodstock was entitled to 50,000 gallons per day, in terms of a special arrangement entered into between the Municipality and the Waterworks Company.

1982. When was that arrangement entered into?—In 1888.

1983. And the Town Council of Woodstock was in existence then?—Yes.

1984. And they paid you how much?—A minimum of £1,000 per annum, for which they were entitled to 50,000 gallons of water per day, and the arrangement was that, whether they took the water or not, they had to pay the £1,000.

1985. And the Company collected water from the mountain side? Is that the source of the Spring?—No; they got the water from the springs on the mountain side and from the Albion and Kommetje Springs, which are much lower down.

1986. But not from the surface mountain side?—Well, the mountain spring is the surface stream.

1987. And where did they lead it into?—Into the service reservoir holding 750,000 gallons.

1988. What charge did the Company make to the private consumer?—£2 10s. per 100 gallons per day, which works out at 1s. 4½d. per thousand.

1989. Did they supply the Railway Department?—Not in 1888, but I think we started to supply the Railway Department in 1891.

1990. Have you any record of the quantity which you supplied to them?—Yes, a record was kept.

1991. Have you got it?—I have not got the record here, but I can give it to you from my own personal knowledge; the supply has been as high as 180,000 gallons a day. They guaranteed to take 20,000 gallons a day, and the maximum which they were allowed to take was 120,000 gallons. When they exceeded that the Waterworks Company could have withdrawn the excess.

1992. Was there any complaint made by the various Municipalities to the Company during your time as to the insufficiency of the supply of the water?—Well, there was always an amount of feeling between the Municipalities and the old Company, because the Company expected to be taken over, and were therefore averse to extending their system under those circumstances, but as a matter of fact there were complaints.

1993. This initiative towards the abolition of the Company was taken by the Municipalities?—Yes.

1994. Did the Company make a good thing out of it?—Yes.

19 5. What dividend did they give during your time?—The last dividend was 12 per cent.

1996. 12 per cent.?—Yes, that was all they were allowed to pay under the English Act.

1997. For how many years did they pay that?—Only in the last year of their existence.

1998. Do you remember what the dividends were for the other years?—They paid nothing the first year; the second year they paid one per cent., and then they went up to three, four and a half, six, eight, ten, and at last twelve; that was besides placing something to the reserve fund.

1999. Now, about the capital of the Company?—It was a nominal capital of £100,000, of which £80,000 was called up and subscribed, and £20,000 held in reserve. The debentures were £50,000 first, and then later on another £10,000 second.

2000. So that £140,000 was the capital liability?—Yes.

2001. Was the dividend on the debentures the same as on the Stocks?—No, there was a guarantee of six per cent. on first and 7 per cent. on second.

2002. Have you any knowledge of the arbitration between the Company and the Municipalities?—Oh, yes.

2003. On what basis was the award finally fixed?—We claimed under the English system on so many years' purchase—of course Arbitrators never give any reason why they come to a certain decision—but we claimed on the basis of last year's profits on 25 years' purchase. We calculated the exact profit and multiplied that by the number of years' purchase.

2004. What was finally decided?—They awarded £227,000, £218,000 for the property and then the value of the stock, which had to be taken over at book value; and also the outstanding debts.

2005. And you say the capital in stock and debentures was £140,000?—Yes.

2006. On what basis did they then bring that up to £217,000?—Well, the Company did not claim on the capital value, but on the value as a going concern.

2007. And the Arbitrators awarded that?—They awarded £227,000, but the Company asked £407,000. The Company claimed on the prospective value, because the Company could have gone on increasing their supply which would have brought more revenue, but the Arbitrators threw that out.

2008. Do you remember what the value of the plant was at that time?—The capitalised value of the whole plant?

2009. Without taking into consideration the value of the springs or the prospective income of the Company. Was the plant valued separately?—Yes, we did value it. It is shown in a return, which I have here, setting forth the basis upon which the Company claimed, and I will put that in. [Return put in.] I may mention further that the plant was shown in the Company's stock book.

2010. Can you give us the extent of the land which belonged to the Company?—Yes, it was 500 acres.

2011. Where does that lie mostly?—On the Eastern slopes of Table Mountain.

2012. To whom does it belong now?—To the four Municipalities: Claremont, Rondebosch, Mowbray, and Woodstock.

2013. What was that valued at by the Company?—It was valued at about £25,000.

2014. I see in the return it figures at £26,000?—Yes, I know it was £25,000 or thereabouts.

2015. Is that land at present very much in the same condition in which it was when it was taken over from your Company?—Well, a certain amount of timber has gone off it now, but still I think the lower portion of it could be sold at a profit.

2016. Did that Company take any interest in augmenting the supply of their water for disposal?—Yes, first of all they increased the flow of the Albion Spring to about three times what it was; before that it only yielded 500,000 gallons.

2017. Did they do anything in the way of attempting to procure a supply outside their own area?—No, not outside their own area; but they contemplated making a large storage reservoir on the slopes of Table Mountain at about the same spot where the present service reservoir is being built.

2018. The Steenbras River and Oliphant's Hoek had not been discovered in those days?—They were not brought forward in those days, and, besides, the Company could not have gone in for either of those, because its life was too limited for such a big scheme.

2019. And were the Company willing to hand the concern over?—No, they would have liked to have kept it.

2020. But the Municipalities took advantage of the clause in the Act which gave them the power to step in?—Yes, it was according to the agreement.

2021. *Dr Gregory.*] You say one of the mountain springs is not really a spring but merely a surface stream?—Well, yes, it fluctuates; I have seen it as low as 10,000 gallons a day, and it runs up to two million gallons. That is not the Kommetje spring I am speaking of.

2022. The Kommetje spring, is that a good spring?—It fluctuates also.

2023. Where is your gathering ground for the mountain spring?—On the eastern slopes.

2024. Is that the 500 acres you spoke of?—Not the whole of the 500 acres would be gathering ground for that spring, but then there are springs higher up the mountain which did not belong to the Waterworks Company, but which came in over the Company's ground

2025. Are those very strong?—Yes.

2026. Who does that land belong to?—The Cape Town Municipality comes down a certain way, otherwise it is Crown land; the Company could go right up to the krantzes.

2026 (a). There is no ground up there, where the water supply of that spring is derived from, available for building purposes?—No. I may add that there is about one mile of 12 inch pipe to the reservoir from the Mountain Spring.

2027. What did your reserve fund amount to?—We wrote off £2,000 as depreciation of plant.

2028. What became of that when you sold the waterworks?—We did not take that into account at all, but went on the English system of so many years' purchase and on prospective value

2029. *Mr. Stewart.*] Do you know whether this book containing the gaugings was in existence when you left the Waterworks Board?—Yes; we had to add six per cent. to the figures recorded there.

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2030. And can you tell us whether that book contained gaugings of the various springs since the Waterworks Company started?—The record was kept since 1893.

2031. Did you attend the meetings of the Arbitration?—Yes.

2032. Are you aware that the different Municipalities who gave evidence then made complaints against the Company for insufficiency of supply?—Yes, they made a great point of it.

2033. Do you know whether any complaints have been made since?—Oh, yes, the Water Board cannot supply the upper portion of Claremont at all in the summer time.

2034. Do you remember the judgment of the Supreme Court in the case of the Albion Spring?—Yes.

2035. What was the net result of that judgment?—The riparian owners had to have their 500,000 gallons, *pro rata*, for 24 hours, and the Waterworks Company were entitled to whatever quantity they could get out of the spring in excess of that, but as a matter of fact they really take the whole of the spring, and generally the riparian owners do not get their quantity.

2036. In the dry time what was the quantity of water you could take away, assuming that the half million gallons flowed into the river?—650,000 gallons about, but then you see we had to take the water between six in the morning and eight at night. In the night there was practically very little consumption, which was mostly during the day, so that you must not divide that supply by 24 hours.

2037. Do I understand that while the Company were in operation they deprived the riparian owners?—No, not the Company, the Water Board.

2038. Was this 500,000 gallons abstracted for twenty-four hours?—Yes, they were obliged to do it.

2039. Has that been done since the Water Board came into existence?—Oh, yes, it has to be done.

2040. So that practically the Water Board are supplying consumers by obtaining water which they are not entitled to?—Certainly.

2041. How long before the late Company were taken over was the estimate made which showed that the water supply would not be sufficient for the demands?—About 1896 or 1897. Five years ago the Company were beginning to feel that the existing sources were insufficient for the population.

2042. To be quite clear as to your sources, can you tell the Commission what the Waterworks Company did with the water which they took from the Albion Spring?—Well, they first of all pumped it into the mains, and if the consumption did not exceed the quantity pumped, the overflow went into the service reservoir, so that if you started, say on Monday morning, with a dry main and empty reservoir, perhaps on Tuesday you might have two feet of water in the reservoir. As a matter of fact we lost during the last two or three years.

2043 Where is the Kommetje Spring?—About one hundred yards on the north side of Newlands Avenue, opposite Mr. Ohlsson's brewery.

2044. How far from the Albion Spring?—About three-quarters of a mile.

2045. At a higher elevation?—Yes.

2046. How much water could you get from the Kommetje Spring during the driest seasons?—It fluctuates very much. The gaugings have been as low as 60,000 gallons, and as high as 500,000 gallons per day, the latter of course during the wet weather.

2047. Can the Company take all that water?—Not under existing circumstances, unless they pump it in.

2048. You mean it does not run by gravitation?—No, they could only get it by pumping.

2049. But are the Company entitled to take away all that water?—No, Mr. Ohlsson has a servitude on it for the brewery and ice factory.

2050. Where would you take that water if it were pumped?—Practically into the main.

2051. And if there was a surplus of the consumption, it would go into the reservoir?—Yes.

2052. And your next source is on the mountain?—Yes.

2053. That is entirely from the surface?—Yes.

2054. Do you know where the water takes its rise?—Yes, I have been up there myself; at any rate, where I considered to be the source; but it travels in several directions right up at the krantzes. You could see it from the Main Road, but it is almost inaccessible.

2055. Some of the water comes from the neighbourhood of Maclear Beacon?—Yes.

2056. And that is Government land?—Yes.

2057. Have you got a record of the quantity of water consumed per day per head of the population supplied by you?—Well, I have got the exact quantity that we supplied, and we can divide it by the population; and I have put down the requirements at thirty gallons per head per day.

2058. Did you supply much water to the Municipalities for watering roads?—Yes, they have had a large quantity, I can give you the figures: In Claremont, in 1899, they used roughly 27,500 gallons a day on the average.

2059. *Mr. Gurney.*] That was in the summer time?—Yes.

2060. *Mr. Stewart.*] And the other?—Yes, Rondebosch, including wash-houses, 23,600 gallons; Mowbray, including wash-houses, 9,000 gallons; Woodstock is watered by the Divisional Council.

2061. What provision is made for fire extinguishing purposes?—There are hydrants about every two hundred yards.

2062. In all the streets?—Mostly in the main roads, but I won't say in every street; some of the hydrants have become old fashioned.

2063. In your opinion, is the provision for extinguishing fires sufficient?—No.

2064. Do you know whether it has been improved by the Water Board?—The Company had commenced to lay down a few hydrants, but the Municipalities are to be blamed themselves in the matter; there is not enough pressure.

2065. Then we may take it from you that the provision for fire extinction purposes is quite insufficient?—Yes.

2066. *Mr. Dyer.*] Has the Company ever tried boring for water?—No.

2067. Was it ever suggested?—It was suggested, but the Company did not see its way clear to go in for it, as the shareholders would not increase the capital. Five shafts were sunk on the mountain side above the Kommetje Spring, but they were not successful.

2068. Is it not within your knowledge that any private parties have been boring?—Yes, I know that young Mr. Edwards has tried for Mr. Jeppe, but he did not succeed. Mr. Ohlsson has bored with great success just below the Kommetje Spring, and he has got a very fine flow of about fifty or sixty thousand gallons a day.

2069. Do you know the size of the bore?—Four-inch, I think.

2070. *Mr. Lawrence.*] Have you any knowledge of any of these outside sources of supply, such as the Steenbras River?—I have been there myself.

2071. Would you give us the benefit of your opinion on it?—I think the Steenbras River is a very good source of supply, but unless they come to an arrangement with Mr. Struben, they will have a very expensive wall to build.

2072. And the Oliphant's Hoek, have you been there?—Yes; I think that will rather be a costly wall.

2073. Why?—It will be very much longer; the dam will cost much more.

2074. Have you inspected any other sources of supply?—Yes, I have been up to the Witte River at Bain's Kloof; it was in October, and the flow was very strong.

2075. That would be after the rain?—I went up there shortly after that accident.

2076. Have you been to Palmiet River?—I have been up between Caledon and Sir Lowry Pass, but I cannot give an opinion on that.

2077. Are there any other sources that you know of?—No, these are the only three I can think of.

2078. Have you been to the top of Table Mountain?—Yes.

2079. Have the springs on the Eastern slopes of the mountain increased since the reservoir has been established on the top?—Yes, the gaugings show a greater increase.

2080. Could the supply on Table Mountain be considerably increased?—I don't think much, but of course there is the Hout Bay Valley, and they might have another reservoir there on the Wynberg side.

2081. *Chairman.*] You remember the Arbitration proceedings?—Yes, I was present.

2082. Have you got copies of the proceedings and the evidence?—I think I could find it, but I don't know whether it will be complete, although I think I could pretty well put it together.

2083. Could you supply the Commission with it?—Yes.

2084. You don't know of your own knowledge of the proceedings where the records are?—Copies were given to each of the arbitrators.

2085. Who were the arbitrators?—Ex Chief Justice Kotze, G. W. Steytler, and J. W. Jagger.

2086. Who represented the Company?—Mr. G. W. Steytler, and Mr. Innes and Sir Henry Juta were their counsel.

2087. And the Municipalities?—Mr. Jagger, and Mr. Searle was counsel. Then these elected the third party, but as they could not agree they had to go to the Supreme Court, and Ex Chief Justice Kotze was appointed by an Order of Court.

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2088. Where could we get a copy of these records?—I think from the Woodstock Municipality, or from W. E. Moore & Son.

2089. Could you give the Commission any information about the £500 which was paid to an engineer in connection with the arbitration?—It was paid to the Mayor of Claremont by the joint Councils as an honorarium. Claremont and Woodstock paid it, and Rondebosch and Mowbray had nothing to do with it until afterwards.

2090. What was that money paid for?—It was stated as an honorarium.

2091. But you don't know much about it?—Yes, I know that it was paid as an honorarium for services rendered in connection with the taking over of the Waterworks.

2092. You think we are more likely to get a copy of these proceedings from the Woodstock Municipality than from any other source?—I could give you some sheets.

2093. Will you put in what you have?—Yes, I will look them up.

2094. Then with regard to the return you have already put in of the number of houses supplied with water by the Company, does that include the total number of houses in the area?—Yes, but there are still a number not supplied in Claremont.

2095. Is it within your knowledge that the Waterworks Board was supplied with a copy of the whole of the arbitration proceedings?—There was an arrangement made by which we should have seven copies; the three arbitrators were supplied with a copy each. I had a copy and Mr. Moore had one.

2096. Of the whole proceedings?—Yes, it was taken verbatim.

2097. Was it very voluminous?—Yes, the arbitration occupied eighteen days.

2098. Was it published from time to time in the newspapers?—No.

2099. What became of the other copies?—They were placed on the table every morning, one for the arbitrators and one for counsel. Counsel took their copies away, and I sent mine to London.

2100. As far as you know, was any copy handed over to the Water Board?—Well, it was arranged between them that the Waterworks should pay half the cost of the printing, and Messrs. Tredgold, McIntyre & Bisset, and W. E. Moore & Son, who represented the Municipalities, I suppose, looked after their copies.

2101. Then the Water Board has a copy?—No, I don't think they have got a copy, but a copy might be in the possession of Mr. Moore.

2102. Can you give us any idea of the growth of these Municipalities from time to time?—Yes, I can put in returns showing revenue and supply of the Company for a certain period of years. [Returns put in.]

2103. Do you want these returns sent back to you?—Yes, I should like to keep them.

2104. We may use them for the time being?—Yes.

2105. *Dr. Gregory.*] You say that your experience was that the consumption of water in the Municipalities came to thirty gallons per head?—No, that is what we estimated that we should require in case of a drainage scheme.

2106. Ah, yes, in case of a drainage scheme, but what was the actual consumption?—The actual consumption was about 1,200,000 gallons up to the end of last year.

2107. But you don't know what it was per head?—No, but this can be worked out by the population.

2108. *Chairman.*] That can be worked out from the figures given in the returns which you have put in?—Yes, but I have an estimate of the population of last year.

2109. Did the Company make up an estimate of the increase of population within their area?—Yes.

2110. Have you any statistics on that subject?—Yes.

2111. Would you just mention them?—Yes; in Claremont the population was in 1895 7,000, in 1898 10,000, and in 1901 15,000; Rondebosch, in 1895 5,400, in 1898 6,000, and in 1901 6,500; Mowbray, in 1901 8,500; and Woodstock, in 1901 30,000. For the last two I have not the figures for the other years.

2112. *Mr. Dyer.*] I see in the case of Rondebosch the increase is very small?—Yes, they are rather scattered.

2113. *Chairman.*] On what basis was that estimate made?—I took six persons per house.

2114. Was that estimate made by you for the Company?—Yes.

2115. And you went on the basis of six persons to each house?—Yes; in Woodstock it worked out into decimals, but I think I took six all round.

2116. If we multiply the houses supplied by your Company by six, it would give the required result?—Yes, but some of the houses have not been supplied yet. I have already given you the figures.

2117. *Dr. Gregory.*] You stated that the Albion Spring has increased in your experience since the Woodhead Reservoir was built?—The gaugings show an increase.

2118. Do you attribute that to the fact that the reservoir was constructed?—There is a theory to that effect, and I am not prepared to say that it is a coincidence.

2119. Have all the springs increased, the Kommetje Spring as well?—Yes, generally I think, the Newlands Spring too.

2120. Was the increase at once, or gradual?—Gradual.

2121. The increase has not been due to a greater amount of pumping, has it?—No, I don't think so, but they pump the spring dry sometimes.

2122. Within your knowledge or experience, have you known springs in other places increase as a result of the building of a reservoir?—Yes, I know of one spring that disappeared altogether, after the construction of a reservoir above it.

2123. Disappeared?—Yes, I have forgotten the name of the place, but it was a small village in Scotland.

2124. But that was not due to a reservoir?—No.

2125. *Mr. Stewart.*] You have no definite information on which you base that theory?—Only the fact that since the reservoir has been constructed, gaugings have increased.

2126. Has that been the experience in regard to the new springs in the neighbourhood?—Well, I believe the Newlands Spring has been benefited and that is just below the Kommetje Spring, and it belongs to the Ohlsson Company.

2127. Do you know to what extent that has increased?—No, Mr. Ohlsson has gaugings, but I don't know.

2128. *Mr. Stewart.*] As a matter of fact, have you taken gaugings?—I have only seen the records.

2129. But have you taken gaugings yourself, or are you merely stating that from hearsay?—I have seen the records.

2130. But you don't know anything about it from your own knowledge?—I have seen the gaugings.

2131. But you cannot speak from personal knowledge, you are not an Engineer?—No.

2132. *Mr. Gurney.*] Are there any reasons to suppose that these gaugings are wrong?—Yes, some of them.

2133. *Dr. Gregory.*]What are the reasons for that?—The Arbitration Proceedings will throw a good deal of light upon that.

2134. *Mr. Stewart.*] The Kommetje Spring is more or less a surface spring?—Yes.

2135. Was the Company supplying a good many gardens, and can you tell us roughly the quantity of water supplied for that purpose?—In the four Municipalities?

2136. The total amount.—About 200,000 gallons a day.

2137. Then, dividing the total quantity supplied by the population, will not enable us to get at the consumption per head for domestic purposes?—No.

2138. *Chairman.*] I suppose you are not interested in the general question of Municipalities?—No, just the water supply.

2139. *Dr. Gregory.*] You have put in this table of gaugings, but are we to understand that they are no good—that they are unreliable?—Oh, no; I think if you apply to the Water Board they will give you their gauge-book, and then it could be worked out by an increase of six per cent.

2140. During what time?—During a series of years, and when the gaugings were taken, they were very carefully gone into, and then the difference was discovered.

2141. And according to the best of your knowledge and belief six per cent. is a correct estimate?—It was worked out by the Engineers for the Arbitration.

2142. Who were the Engineers?—Mr. Olive, Mr. Stewart, and Mr. MacMillan.

2143. *Mr. Stewart.*] As a matter of fact did not we find that the gaugings were taken wrongly?—Yes.

MONDAY, 21st APRIL, 1902.

Present :

Hon. Sir Bisset Berry (*Chairman*).

Dr. A. J. Gregory.	Mr. W. E. Gurney.
Dr. A. J. Anderson.	Mr. T. Stewaet.
Mr. Lawrence.	Mr. J. E. R. de Villiers.
Mr. T. N. Dyer.	

Messrs. Hugh Donnan (Councillor of the Claremont Municipality) and *David Walker* (Town Clerk of the Claremont Municipality), were examined.

Messrs. *Hugh Donnan* and *David Walker.* 21st April, 1902.

2144. *Chairman.*] What is your profession, Mr. Donnan?—I am a builder.

2145. And you are resident in Claremont?—Yes.

2146. And how long have you been a resident there?—It is fully twenty years since I first came.

2147. Can you give us the area of the Claremont Municipality?—Yes, it is 3,790 acres.

2148. And can you tell the Commission what proportion of that is built upon?—About 375 acres: that is an estimate I have made upon taking the population at 18,000, and taking 48 persons to an acre.

2149. Has Claremont any commonage?—There is no land which you would term commonage, but there is a football field adjoining Claremont Station which has been left for sports purposes, and this would revert to the Municipality under certain conditions. That is the only part which might be called commonage which I know of.

2150. Then where does the unimproved land of Claremont lie mostly?—Principally on the Claremont Flats.

2151. What streams run through your Municipality?—There are the Liesbeek River, the Black River and the Kromboon River.

2152. In what direction is the natural drainage of your Municipal area?—Towards Table Bay.

2153. In respect of these rivers, which of them would carry the most water into Table Bay?—The Liesbeek.

2154. And is there a very large proportion of your area at a very high altitude which would not be quite suitable for building purposes?—Yes, about one thousand acres of land is at a high altitude, and I estimate that about 400 acres are unsuitable for building purposes.

2155. How high is the level that you at present supply water to?—The highest portions that we supply are about 400 feet. When I say 400 feet I take the level, say, to the railway at Newlands, and it would be about 500 feet from the sea level.

2156. All below that line you can supply from your present Waterworks?—Yes.

2157. And when that reservoir that you are now building is complete, you will be able to supply at a higher level?—That is about 300 feet above the Newlands Station, so that we could not supply anything above that, although I may mention that some of the intakes are about 600 feet up. From the reservoir I do not think we could supply above, say, 250 to 300 feet.

2158. Then there would still be an area capable of being built upon which you would not be able to supply?—Yes.

2159. You estimate the population at 18,000?—Yes.

2160. On what do you base that estimate?—On the yearly increase since the taking of the last census, and also on the number of houses added since then.

2161. But on what basis do you calculate the increase? Have you any particular method that you go upon?—Of course there has been no census taken, but for the Municipalities we generally compute it on the birth-rate and influx of population, but that is a varying quantity. I might say that these figures are supplied by the Medical Officer; it is his estimate, and for all practical purposes we find it fairly accurate.

2162. Can you give us the number of Europeans and also the number of coloured people within your area?—The proportion is about half; there is a large coloured population.

2163. And the occupations of the people generally are?—Their occupations are varied. About an average of two thousand go to the city per day—the bulk of the

others remain. There are builders, shopkeepers, and of course all the other trades such as bakers and butchers, &c. Then a large number are employed in the Mineral Water Factories, and also in the Breweries, which have been considerably augmented of late.

2164. And the occupations of the Coloured people?—They are mostly labourers, although there are some carpenters and masons amongst them.

2165. Can you give us the number of houses in Claremont?—The number of houses would come up to about 2,500 as near as possible.

2166. Have you the respective numbers of these occupied by European and Coloured people?—No, I have not got the particulars here.

2167. Would it be possible for you to get them?—Yes, but it will take some little time.

2168. It is not on your roll?—No; I might say that the Coloured people are confined for their dwellings to a certain congested area, and if we went on the basis of calculating the European population by taking six or seven per house, that of the Coloured people would work out to about twelve per house.

2169. Do you know the number of Municipal voters in Claremont?—2,000.

2170. And you will supply us with the number of European and Coloured voters respectively?—Yes, that can be supplied.

2171. Your Council consists of nine members?—Yes.

2172. What class do they mostly consist of?—They vary.

2173. I mean their occupations or professions?—We have city merchants, and——

2174. In the City of Cape Town?—Yes; then we have one lawyer, and the others are made up of tradesmen.

2175. Resident tradesmen?—Yes.

2176. How many of that class would there be at present?—There is Mr. Louw, who is a retired gentleman, as the Mayor, Mr. Maskew, a produce merchant, Mr. Moss, a builder, Mr. Wood, a commission agent, Mr. Merrington, a speculator, Mr. Zietsman, a lawyer, and Messrs. Dunn and Behr, merchants.

2177. Is that Council fairly representative of the ordinary style of gentlemen that you get to attend to Municipal matters?—Yes, I should say it is as regards occupation.

2178. You are quoting from figures, may I ask what you are quoting from?—From a small diary which has been compiled by the Municipal Clerk, giving various statistics of the Municipality of Claremont.

2179. Could you put that in?—We will let you have a copy of it; the Secretary will send you a copy.

2180. That diary has been prepared specially in reference to Claremont?—Yes but it also gives information as regards the Waterworks.

2181. Now, how long has Claremont been a Municipality?—I think since 1886.

2182. For about fifteen years?—Yes.

2183. Before that, you were a portion of the Liesbeek Municipality?—Yes.

2184. And before that, there was a Village Management Board?—Yes.

2185. And you were in Claremont at the time of the existence of the Liesbeek Municipality?—Yes.

2185(a). Do you remember that Board?—Yes.

2186. Were you a member of it?—No.

2187. Can you tell us how the Liesbeek Municipality came to split up?—The Municipal Government as far as the Suburbs were concerned was in its infancy, and there were conflicting interests in the various Municipal areas which led to a certain amount of jealousy, certain of them accusing the others of getting advantages over them, and that resulted in the split. They could not agree on various matters, and it was decided to separate. I may, however, say that at the present day there is a different state of things as regards that; we are a little bit advanced now in Municipal government, and I think that there is a unanimous feeling that a larger body would be workable now.

2188. We will come to that by-and-bye. Was it not partly on the water question that you split up?—No, I don't think that the water question came to the front at that time.

2189. Would your Secretary be able to put in a table showing the increase in the valuation of Claremont?—Yes, we have it in this book from which I have been quoting, but I think the Secretary has sent in a return showing those figures.

2190. From 1886?—Yes, I think it has been sent in by the Secretary, who I believed copied it from this book.

2191. Yes, I find that the Commission has that return. Can you tell the Commission what method of valuing you follow in your Municipality?—The valuation is given out to a competent valuator.

2192. And how do you find your competent valuator?—By advertisement.

2193. Which is answered by the man who regards himself as a competent valuator, and the Council then judge whether he is competent or not?—Yes, and generally the Council is guided by his past record.

2194. Would you give preference to a man who has had experience in that direction?—Yes.

2195. Do they give general satisfaction, and what is the general method of valuation?—Yes; they consider what the property would bring in in the open market at a particular time; he does not go on the amount of what it has cost.

2196. Does the same man sometimes value for the Divisional Council as well as for the Municipal Council?—Yes.

2197. And when that is the case, would the valuations be the same or would they still be different?—We have found that it varies; in fact I have heard valuators say that the valuations for the Municipality has to be higher than that for the Divisional Council purposes.

2198. In some of the smaller Municipalities in the suburbs the area for Divisional Council purposes is different from the area for Municipal Council purposes?—I don't know.

2199. Is the area the same for Divisional Council purposes as for Municipal Council purposes?—Yes, to my knowledge it is.

2200. Just tell me at what time you began to raise money by loans?—The first loan was raised in 1889 at 5 per cent.

2201. What was the cause of your going into the money market?—The Municipality had only just recently started then, and there were certain works which had to be gone on with, such as road-making, &c.

2202. You found in that year that you required more money than you could levy rates for?—Yes; I have a table here showing the financial position of Claremont in 1891, and it gives that loan which was raised for the construction of roads, side-paths, and the Kildare-road Bridge, and, further, for liquidating the debts of the Liesbeek Council

2203. Have the boundaries of your Municipality remained the same as when you began, or have you added to it or altered the boundaries in any way?—I believe the boundaries remain about the same.

2204. You have not as a Municipality bought any land during that time?—No.

2205. Is it the case with your Municipality that you march with Rondebosch very closely on the one side; in fact, is there a street of which you have one side and Rondebosch the other?—Yes, the centre of the road is the boundary between us.

2206. And there are difficulties in connection with that road?—Yes, in connection with the upkeep of it.

2207. Was there any difficulty in connection with the extinguishing of a fire in that road?—The fire did not occur in that road; it was in another street.

2208. Was there no difficulty as to which Municipality should send a fire brigade to put it out?—Yes, I was speaking of a fire previous to one to which I think you refer; the other one broke out up in Newlands, but there was no doubt then on the score of who should put it out, because that was within our own area. It was off Dean-street, and our brigade reached it, I think, about twenty minutes after it was reported.

2209. Then there was no trouble in this connection?—No.

2210. Have you granted any lands or bought any lands for schools or other purposes of that kind?—No.

2211. And those athletic grounds, do they belong to the Town Council?—No, they were granted by Mr. Arderne to a certain cricket club, and the terms were that should the cricket club cease, the grounds will revert to the Municipality for all time. The Mayor at present is one of the trustees.

2212. *Dr. Gregory.*] That road that partly belongs to you and partly to Rondebosch, what arrangement have you entered into for metalling and keeping it in order?—It was found that it was impossible for us to form a line of demarkation down the centre of the road, so we have struck a line half-way up the road, Rondebosch maintaining the upper portion and Claremont the lower portion.

2213. Do all your boundaries run down the centre of the roads or through properties?—No, that is the only one, but there is the Kenilworth-road on the Wynberg side; their boundary comes up to the other side of the road, but we have the full up-keep of that road.

2214. You have houses on that side of the road?—The rates are collected by Wynberg, and they have the full benefit of that road, but I will say that we have a kind of a set-off against that in the case of the Mains Avenue, which is maintained by Wynberg.

2215. That is where all the drainage comes to from Kenilworth?—Yes, a considerable part, and that has given us considerable trouble.

2216. That is from the Wynberg area?—Yes, and also stormwater from the Wynberg area we have to put up with; we have a good deal of correspondence with Wynberg on that same point.

2217. So that the matter of the boundary coming over there is causing you the same considerable inconvenience?—Yes, a great deal.

2218. And where it passes their property, it is of equal inconvenience to the property-holders?—Yes.

2319. Are there any houses which are partly in one and partly in another Municipality?—No, not that I know of, but of course, the boundary runs through private property.

2220. In the event of sales and transfers of such property, do they cause any inconvenience?—Yes, it is bound to cause a little inconvenience to those who have to pass transfer as they have two Municipalities to deal with.

2221. And a person has to register his sale in both?—Yes.

2222. And there is no countervailing benefit that you can suggest for obviating these arbitrary divisions?—No, I cannot suggest any. I may say that the registration of course is not given to the Municipalities. The Act does not compel them to do so. It is the Divisional Council, but of course at the same time there are the rates levied by the various Municipalities.

2223. Is there any difficulty in having to give notice to the two Municipalities?—No.

2224. But you have got to do it, and you got Government to consent to it?—Yes.

2225. If it were general then it would be a difficulty for the owner to have to report it in both cases?—Yes.

2226. This question of the boundary then is one of the disadvantages of having a number of small Municipalities where one would be sufficient?—Yes, it certainly is one of the disadvantages.

2227. *Mr. Gurney.*] Coming to the matter of finance, your ordinary expenditure has for several years been in excess of your ordinary revenue, has it not?—Yes. for four years past there has been an increase over our income.

2228. In excess of your revenue?—Yes.

2229. As a matter of fact, your expenditure usually would be charged either against loans or against your ordinary receipts under heads of rates, &c?—Yes.

2230. I think Government has ruled that plant cannot be charged to any loan?—That is so.

2231. How do you deal with plant in making up your accounts?—Well, our Municipal Clerk is here and he has got these particulars at his fingers' ends, and I think it would save the time of the Commission if he were examined on these points, being able to give more reliable information.

2232. *Chairman.*] We look upon you both as giving evidence, and if there are any points in which the Secretary can better furnish evidence, we shall be glad if you would say so, for then he could answer those questions?—Yes, he knows more about the accounts.

[*From this stage the Secretary, Mr. David Walker, answered several questions relating to accounts.*]

2233. *Mr. Gurney.*] Well then, how do you deal with plant in making up your accounts?—We have opened a plant account and write so much off every year for depreciation, by simply taking a certain percentage as depreciation and debiting that to revenue.

2234. In other words you only charge depreciation in the first case?—Yes.

2235. And in consequence the revenue and expenditure account which you prepared does not always show a deficit in these years referred to?—Not always.

2236. No, it does not in 1898-'99?—No, but since that it does.

2237. As a matter of fact the actual payments have been in excess of the receipts to the sum of £570 per annum?—Yes, for the last four years.

2238. Are you prepared to justify the expenditure of money in that way, and not bringing it up in the year's expenditure?—You mean the spending of money on plant?

2239. Yes, out of what funds do you make that expenditure?—Out of ordinary revenue each year.

2240. As a matter of fact you have been paying it for years by overdrawing at the Bank?—Yes.

2241. That is scarcely paying out of revenue?—Well, no.

2242. The result has been that you had in December an overdrawn balance at the Bank of some £13,000?—Yes, December last year.

2243. That is a shortfall of your ordinary revenue as against your ordinary expenditure?—Not quite; it includes a great many permanent works which we are now going to include in our new loan.

2244. Can you give us the value of these permanent works roughly?—About £6,400.

2245. That £6,400 is proposed to be covered out of the new loan of £26,000, which we will come to presently?—Yes, and that still leaves some £7,000 shortfall in the ordinary revenue.

2246. Apparently from 1888 the tenants' rate has always been and still is 8d.?—Yes.

2247. But the owners' rate has been 2d. from 1897 without variation until this year, as you have just put it up to 2½d.?—Yes, that is so.

2248. That ½d. will bring you in about £2,000?—Yes, £2,500.

2249. So that you have no proposition, it appears, to face the whole of the accumulated shortfall?—Not the £7,000.

2250. Only £2,000 of that will be provided for?—Yes.

2251. You will still be short at least about £5,000?—Yes, but of course that £5,000 consists principally of plant, and is an asset as it were. We entered upon the departmental system last year, and spent about four thousand pounds on plant, and I think it would be very unfair to debit that to revenue in one year.

2252. As a matter of fact, your plant is shown in the accounts which you have rendered to us as £4,667?—Yes.

2253. Out of the £7,000 which had already been spent?—Yes.

2254. And practically that £7,000 has been obtained by overdrawing at the bank?—Yes.

2255. The portion that remains is £2,000?—Yes, that is so; £4,600 has been spent on plant.

2256. That is represented by nothing, it is simply a short-fall, is it not?—Yes.

2257. Now, you have raised certain loans for which you have given us returns; one in 1889, of which £1,800 is outstanding, on which I think you pay 5 per cent.?—Yes.

2258. One in 1892 of £2,650, on which you pay 4½ per cent., and another in 1894 of £7,500, on which you are also paying 4½ per cent., and one from the Government, of which £15,510 12s. is still outstanding. That is to say £31,000 at present represents your debt?—That is our debt at the present time.

2259. You have arrongements, I think, for annual drawings of £100 on the first two of these loans?—We have.

2260. And the second is payable in 1909?—Yes.

2261. Has the Council made any preparation for repaying that loan? Have you any sinking fund?—No arrangements whatever, that is referring to the 1894 loan.

2262. The last loan being under the Local Works Loans Act, is being repaid by half-yearly instalments?—Yes.

2263. Now, out of this last loan of £16,000, £9,000 has been received for expenditure on certain specified public works, but has not yet been so spent?—We have still a balance of £9,000 in hand.

2264. As a matter of fact it is not in hand, you have used it up by partly repaying the overdraft you have at the bank? You have got an overdraft at the bank?—Yes, we have taken it as a temporary loan as it were.

2265. That has been the practice of the Council?—No, not till the Act 41 of 1899 had been passed, so that we raised the money by way of overdraft at the bank with a view to its inclusion in the new loan.

2266. So that this is only a temporary measure?—Yes.

2267. You still propose to spend the £9,000 on the original purpose?—Yes, undoubtedly.

2268. That treatment of plant to which we have referred; I did not quite gather from your reply what justification you hold for that?—It is a principle the Municipality adopted before I was Town Clerk. Take last year, during which an expenditure of £3,000 was incurred on plant; it would be very unfair to debit the whole of that amount to one year's revenue, because the plant is good for five or six years.

2269. The object is to avoid charging one particular year's revenue with what is spread over a period?—Yes.

2270. Although it creates financial difficulties?—In a way it might.

2271. In your assets and liabilities you show a debt of £31,000, and overdraft at the Standard Bank, which is a temporary loan from the loan account, making a total of about £45,450 ?—Yes.

2272. Against that you show certain assets which you value at £42,648 ?—Yes.

2273. In these assets you include certain items, such as permanent works executed under loans, one or two of which appear to be the cost of building roads, making side paths, level crossings, standposts for road watering, and so forth ?—Yes.

2274. Apparently some £15,000 of your assets are represented by works of the latter description ?—That is so.

2275. Do you think it is justifiable to consider these as assets from a financial point of view ?—No, I don't think so.

2276. Your personal opinion is that they should not be so included ?—That is my personal opinion.

2277. This would at once reduce your assets to less than they are ?—It is a question whether the assets should really be reduced, because I think if property were entered under its proper value the final result would be much better.

2278. The Claremont Hall building figures at an amount which is apparently the cost ?—That is the actual cost.

2279. Is the value of that building a good deal more ?—The ground is worth more than that.

2280. Can you give us any idea of the value ?—About £7,000. Then the ground in the rear of the hall is quite worth £700 ? Yes.

2281. And it is put down here as £50, and so the assets are not at their proper value ?—Yes.

2282. It is the same with the gravel quarries, the £633 17s. 2d. is apparently the cost of the gravel quarry, and although you have removed a lot of quarry, the value is still the same ?—Much greater.

2283. Would it then be underestimated ?—Yes.

2284. By how much ?—The present value is £2,500.

2285. The wash-houses and ground also figure at £2,712, which is practically the cost ?—Yes, that is the cost.

2286. Is not that the present value ?—No, that is not the present value, that is what it cost us; we have 23 acres of ground, and we put the value down at about £7,000.

2287. The wagon shed in Stegmann's Road, that is put down at what it cost ?—Yes, but it is not worth more than that.

2288. Apparently these are the only assets that are understated ?—Yes, these would be the only assets understated.

2289. There is no Municipal land held by the Council ?—No, except this land at the wash-house and the stables, which amount to 23 acres.

2290. What is the actual value of the wash-house and ground ?—The land £7,000, the wash-house and caretaker's house £1,500, making a total of £8,500.

2291. But this would still leave your assets considerably less than your liabilities ?—Yes.

2292. The increase values that you have given us come to about £11,815 ?—Yes.

2293. As against some £15,000 that would have to come out of the assets and expenditure such as on roads, sidepaths, &c., so that that would leave your liabilities some £6,000 more than your assets; is not that so ?—Yes, it appears so from the figures. Of course these valuations that we have given now are only approximate. The land might be worth a good deal more.

2294. Now, the Council is proposing to borrow another £26,000 ?—Yes, that is so.

2295. Is that in any way for the purchase of what will afterwards be assets, or is that all to be spent on such works as widening of roads and so on ?—About £20,000 is to be paid on construction of roads under Act 41 of 1899, so that in 25 years' time the owners will be required to repay three-fourths of that expenditure, the Council bearing one-fourth.

2296. All for that principally ?—Yes, £20,000 of it.

2297. Consequently really from that point of view three-fourths of that amount would represent a valuable asset ?—Yes.

2298. Now, since the first of July last I think you have introduced the Departmental system instead of the Contract system ?—Yes, that is so.

2299. Have you found that it economises or otherwise ?—So far as it has gone we find that it economises. I might say that it economises a good deal, because we are doing about one-third more work for the same money; besides, from a sanitary point of view the work is more efficiently done. There is no comparison between the past and the present.

2300. Why is not the sanitary deposit ground bought for £151 odd and paid from the 1889-'92 loan included in assets? Does it represent the purchase of ground?—Well, I presume it does; it took place before I became Town Clerk.

2301. Do you know where this land is situated?—It is situated just between Belvidere-road and a short distance from Lansdowne-road, the eastern boundary scarcely comes up to the boundary of the Belvidere-road, which is in front of the Lansdowne Road, running in that direction. I presume the £151 would be included in the assets which appear for the wash-house and land, in the £7,000.

2302. It is not included in the cost of the wash-house?—Oh, no.

2303. At any rate it is an asset?—Yes.

2304. About what value?—I cannot say.

2305. *Dr. Gregory.*] Is not the ground that the sanitary deposit and the wash-house are on all one?—Yes, we take it as a whole—23 acres.

2306. *Mr. Gurney.*] So that the whole thing would be included in the valuation of £8,500?—Yes.

[*From this stage Mr. Donnan principally answered all the questions.*]

2307. *Mr. Stewart.*] Do I understand you to say, Mr. Donnan, that you were a member of the old Liesbeek Municipality?—No.

2308. Do you know the number of Councillors that were on it?—No, I could not give that information.

2309. How do you know that it was not a question of waterworks that led to that split?—Well, I am speaking from memory, and from the general impression that has been left on my mind it was on account of a good many questions, and probably the water was one of them, but I don't think it was the sole one.

2310. Is it not a fact that water was the question which began the difference which led to the split?—I could not say.

2311. Have you any suggestion to offer as to whether the boundary between two Municipalities should be the centre of the street, or of properties between two streets? Well, from a Municipal point of view I would say between the properties for the administration of roads; there would be less friction in that case than there is now.

2312. With the centre of the road as boundary, you have to put down two sets of sewers, and two sets of water pipes?—That is so.

2313. *Mr. Dyer.*] What system of night soil removal have you?—Tub system.

2314. Duplicate system?—Yes.

2315. And the removal is done in tanks?—No, in pails with sealed lids.

2316. And is taken away, how?—In wagons.

2317. And how do you dispose of it?—It is deposited on this special piece of ground, of 23 acres, at the wash-house, in trenches.

2318. Do you make any use of the ground after that?—Yes, we cultivate that; we use a considerable portion of that ground where night soil has been deposited for growing forage for our horses, which form part of our Municipal plant.

2319. And it answers all right?—Yes, it is excellent.

2320. That is plant employed in this service and is included in the plant that the Town Clerk has given us?—Yes, it is included in that.

2321. I suppose we may take it that the large increase of expenditure in excess of your revenue is due to a corresponding increase of population?—Yes.

2322. And the construction of a number of new streets and so on?—Yes, it has been largely owing to that, and besides, during the last two years there has been an enormous amount of extra expenditure thrown upon us by the outbreak of plague; that we had to face as it could not be put off, although we had an insufficiency of revenue.

2323. That expenditure would not be incurred continually?—Not unless there is a recurrence of the same thing.

2324. And the increase of revenue will eventually wipe off the extra expenditure?—Yes, for instance our plant spreads over a period of ten years, and we knock off the total depreciation yearly.

2325. *Dr. Gregory.*] You have adopted this Act No. 41 of 1899?—Yes.

2326. Do you know whether Wynberg has adopted it?—I could not say.

2327. And Rondebosch?—Yes, it has.

2328. In Section 7 of the Act it provides that it shall not be lawful for any owner of property to sell such property in sub-divided portions without first submitting a plan of such sub-division to the Council, which must be inspected and approved of by the Council, and it must arrange for all new roads on that property before it can be sold. Do you remember that provision?—Yes.

2329. Now, in the case of property partly in the one Municipality and partly in the other, would not that create a considerable amount of difficulty?—The difficulty

would lie with the owners. I don't think it would create much difficulty with the Municipality.

2330. And that is what I want to get at. The one Council might say that the ground is to be cut up and roads made in one form, and the other Council might stipulate another, and so the owner might not be able to sell the ground at all?—That is one of the risks that a speculator would have to take.

2331. So that there being two Councils, there is a risk to owners of properties in case of sub-dividing it?—Yes, there is a certain risk.

2332. *Chairman.*] On the question of waterworks, we would like to get one or two points from you. I think you said that in 1881 the four Village Management Board Areas of Wynberg, Claremont, Mowbray and Rondebosch were united?—Yes.

2333. United under the Act that was then passed in 1882?—Yes.

2334. Then perhaps you remember that about that time there was a Company started called the Cape Town Table Mountain Water Supply Company?—Yes.

2335. That Company owned the water?—Yes

2336. Did they give water to the Liesbeek Municipality?—Yes.

2337. You were here at that time?—Yes.

2338. That was the first time that the Table Mountain water was put into the hands of a private Company?—Yes.

2339. Do you remember why that Act was never given effect to? Do you remember any talk of their not having rating powers for the Municipality?—No, I don't remember that; I left for England just about that time, and I remained away about four years; on my return the Waterworks had inaugurated their supply.

2340. You came back in 1886?—Yes.

2341. Did you become a Town Councillor then?—No.

2342. Do you remember that the Company offered the Liesbeek Municipality their water-supply or their waterworks?—No.

2343. Do you remember that about that time Cape Town and Wynberg also got water powers on Table Mountain?—Yes.

2344. So that we may take it that the split in the suburbs that you mention had a great deal to do with the water question?—Probably so.

2345. A little while after that a new Water Company came into existence, having their headquarters in your Municipality?—Yes.

2346. That was for the Albion Spring, the Kommetje Spring, and those places?—Yes.

2347. And the reversion of that Company's supply you have in Claremont?—Yes, that is so.

2348. You are a member of the Water Board?—Yes.

2349. Do you regard the property of the Water Board as an asset of the Municipalities concerned?—Yes; I regard it as an asset for the combined Municipalities.

2350. For the combined Municipalities, in what way?—As far as I can see, the Act does not stipulate any sharing of interest or of profits in the event of sales. It makes no provision for that, and I look upon it as being an asset for the four Municipalities. Originally it belonged only to the two Municipalities, Claremont and Woodstock, but Mowbray and Rondebosch afterwards joined, and each has a quarter share of the water. I therefore regard it as an asset for the four combined Municipalities.

2351. As a matter of fact, has not your Council given a guarantee to the Bank for the Water Committee in respect of one-fourth of the money invested in that scheme?—Yes, that is so.

2352. Then you have a liability of £75,000, and that being so, you must have an asset of a corresponding amount?—The Act does not seem to imply that.

2353. But does it imply that you have a division of liabilities?—Yes, I think it does.

2354. Does it more imply that you have a liability of £75,000 than that you should have an asset to that extent as a set-off?—Well, it is a peculiar Act; it seems to me that the Act provided a Committee which was to be chosen by the four Municipalities. Their representatives on the Committee have the power over the water-supply, but it does not seem that any provision has been made for division of assets.

2355. Is it not the case that a special block of land administered by the Committee is within the Municipal area of Claremont?—Yes, that is so.

2356. And the main source of water-supply is in Rondebosch?—Yes.

2357. And the plant is distributed over all four Municipalities?—Yes.

2358. In your valuation of the property of Claremont, do you include that land which is administered by the Committee?—Yes, we include it.

2359. As part of your valuation?—Yes.

2360. Do you rate for it?—Yes.

2361. Who pays the rates?—The old Company used to pay the rates, and the Committee has been rated since.

2362. In respect of that land?—Yes.

2363. Then it must be some one's asset, otherwise you could not rate for it?—We are only able to rate it as land lying within the Municipality.

2364. Do you consider the water-supply fairly adequate for the needs of the inhabitants of Claremont?—No, we don't get the supply that we want, there is not sufficient water.

2365. It is not only not sufficient, but you have no means at present of giving water to some houses owing to their situation?—That is so.

2366. And to meet that difficulty you are constructing a new reservoir?—Yes.

2367. The charge for water to the consumer, I think is £2 10s. for 100 gallons per day per annum?—Yes.

2368. And that leaves a very considerable margin in your general account?—Yes.

2369. What is done with the surplus?—Well, we had to raise a loan for which we pay five per cent. in order to take over the old Company, and after liquidating that we have considerably over £4,000 devoted to the construction of the new reservoir.

2370. And you think it is fair to do that?—Yes, we cannot divert the money in any other way.

2371. Have the Councils been consulted in that?—No, I don't think the Councils were consulted in regard to that; the Act specifies the procedure.

2372. As a matter of fact you have never published a financial statement so that the consumers could see what was being done with the money?—There has been a financial statement sent to the Municipalities, but it has not been published.

2373. As a matter of fact the consumers don't know that they are paying a good deal more for the water than it costs?—Yes, but I think you cannot charge the bare cost under the working of the Committee, we have only had a short period, and the Committee should first see how things go. There have been so many things to attend to: first of all there was the taking over of the Company, and there is the augmenting of the water-supply. We have not had time to tell as yet what the profit would be.

2374. But the broad fact remains that you are getting more revenue from this water charge than the water costs?—Yes.

2375. And leaving a surplus?—Yes.

2376. And that you spent on new works?—Yes.

2377. Practically without the knowledge of the consumers of the water?—No, the returns are sent to the various Municipalities, and the members of these Municipalities representing the consumers have the information.

2378. The members of the Councils, yes, but the individual consumer does not know?—No, I must say that the order of things which existed at first has now been altered. Formerly the Committee's deliberations were in committee from which the press was excluded; since then it has been decided to admit the press so that all the transactions of the Committee are now public, and I take it that at the end of the financial year the Balance Sheet will be produced in the usual way.

2379. *Mr. Gurney.*] As a matter of fact the statement referred to is rendered by the Suburban Municipal Water Board to each of the Municipalities and lies on the table where it is available for any ratepayer if he chooses to apply for it?—Yes.

2380. *Chairman.*] For the purpose of augmenting this supply of water, what works are you constructing or what schemes have you in hand?—We are at present constructing a reservoir with a capacity of 30,000,000 gallons, and when that is finished we shall be able to supply the highest points in Claremont and Woodstock.

2381. And that is going to cost?—£71,000.

2382. Is that a fair price to have to pay for a small reservoir like that?—Yes, it is a fair price, it was the lowest tender for the work.

2383. Does not that compare unfavourably with other reservoirs in the matter of price and storage capacity?—Probably it may; experience has been that the reservoirs have cost far in excess of their estimates. I believe that was the case with Cape Town, when the cost of their reservoir far exceeded the estimates.

2384. To put that plainly, is it not a fact that your reservoir will cost twice as much per million gallon capacity as the Cape Town reservoir cost?—Well, I have not the comparative figures in my mind, so I cannot say.

2385. To take a comparison, the figures that have been put in showed that the Woodhead Reservoir is to hold 225,000,000 gallons, and will cost only £140,000; and for your reservoir the figures show that you are going to pay £71,000 for a reservoir which is to hold only 30,000,000 gallons?—Yes, that is so

2386. Can you explain how that comes about?—Well, the explanation is this, that the situation is altogether different; on Table Mountain they simply build a wall at

the one end of the valley and our reservoir is to be built on the side of the mountain where a great deal of excavation will have to be done, besides which we will have to construct huge concrete walls to contain the water. Our reservoir has a clay bed, and altogether the positions of the two are so different that you cannot draw a comparison.

2387. I am not thinking so much of the nature of the works, but I am looking at the relative advantages to the consumers of the water? Could not the £71,000 have been spent in a way which would have given a much better supply of water to the consumers?—I don't know, probably that might have been done, but I might say as an argument in favour of the Committee, that the position of getting a reservoir was of such a nature, and considering the ruling prices at the present time, that it would have been impossible for the Committee to have got a cheaper estimate, which under those circumstances I consider very low.

2388. And you think that it was a just thing to spend the money in that way in the interest of the ratepayers?—We had no power at that time to go further afield; the various Councils were consulted in regard to this, and they authorised the expenditure to be undertaken by the Committee.

2389. Did you submit the matter to the individual Councils?—Yes.

2390. And a resolution was passed in support of that by each Council?—Yes.

2391. Have you any other scheme afoot?—There were two schemes afoot—the Steenbras River Scheme and the Oliphant's Hoek River Scheme. There have been several inspections of those localities, but the Oliphant's Hoek Scheme has been withdrawn from the Committee's participation in it. When it was offered in the first instance I was present at one inspection, and it was after that that it has been withdrawn, for what reason I do not know.

2392. Have you a resolution from the Woodstock Council to that effect?—There has been a decision to that effect.

2393. Have they approached you by resolution?—They invited the Municipalities and the Committee to inspect the sources of supply.

2394. Did they at that time intimate that it was their intention to place that supply at the disposal of the Committee?—Yes.

2395. And that has now been altered?—Yes.

2396. With reference to the Steenbras River Scheme, when that was first mooted, was the same intimation made to the Committee?—Yes.

2397. And that still continues?—Yes.

2398. Has the Committee given any declaration in favour of the one or the other?—The Committee has not decided, but I may say that the various Municipalities were approached in regard to the desirability of taking one or other or both of these schemes. Claremont Council gave a favourable reply to take the Steenbras River Scheme. Of course, they would like taking the Oliphant's Hoek if they could get it. There has been a motion brought forward in the Committee to take over the Steenbras River on the terms offered by Rondebosch and Mowbray. That has not come to a vote yet, but it will be in a meeting or two.

2399. You are aware that there are some difficulties now with reference to the Steenbras Scheme?—I don't know that there is any difficulty as regards that scheme.

2400. Is there not a legal difficulty in connection with it?—Well, there is only one owner lower down to deal with, and that is not a formidable difficulty, but one which could be met.

2401. What do you consider to be your powers in that respect?—Do you consider that you have the power as a Committee to acquire that property and the rights in the neighbourhood of the Steenbras River, and to bring the water from there to your consumers in the four Municipalities?—Not alone, we would require the sanction of the various Municipalities.

2402. Would they all have to give their sanction?—I think a majority should carry. Of course, that is my individual opinion.

2403. *Dr. Gregory.*] That is not the opinion of your legal adviser?—I have not seen that opinion.

2404. Did not your Committee take any such opinion?—They are taking Counsel's opinion, but I have not heard it yet.

2405. *Chairman.*] Then suppose one of these Municipalities want one scheme, and are very strongly in favour of it, and the other three Municipalities are in favour of another scheme, how do you propose to deal with the one Municipality if they won't go in?—I take it we will have to submit to the majority.

2406. Do you think the majority has compelling power?—Yes, the constitution of the Committee is similar to the constitution of the Councils, and the majority carries.

2407. At present you are supplying Maitland as well as the other Municipalities?—Yes, the old Water Company, or Albion Spring Water Works, used to supply Maitland, and we have not withdrawn it.

2408. It has been going on all that time?—Yes, we are not compelled to do so, though.

2409. *Dr. Gregory.*] You have read the Act constituting your Committee?—Yes.

2410. Then you are aware that you cannot undertake any scheme outside the District of the Cape Division?—Yes, there is a clause to that effect. I take it that would require an amended Act of Parliament. We can only borrow up to £500,000, and at present we are applying for £300,000, which will leave only £200,000 to work with, and that would be inadequate for a fresh scheme; the only way would be to get a new Act with fresh borrowing powers.

2411. So practically it would be premature for you to consider such a scheme until you get fresh power?—I don't think it is premature, because as practical men we have to look to the future, and I think we should be failing in our duty if we had not taken up all the resources, and we are pretty safe in anticipating that the power required will be granted to the Committee ultimately.

2412. Have you any contemplation of getting an amended Act?—Yes.

2413. The Act provides for two classes of rates by Section 4 and subsequent Sections, you can levy a rate?—Yes.

2414. I mean all the Municipalities?—Yes.

2415. And under Section 18 you can levy charges for water, and at present you are levying such charges, are you not?—Yes.

2416. Through these charges you are able at any rate to pay £4,000 towards the construction of a new reservoir?—Yes.

2417. But as I read the Act, you should levy a rate, or the Municipality should, in order to pay interest on loans, and to provide for all other claims?—Well, I look upon it as being an alternative; of course we took over the assets of the old Board who levied the specific charge of £2 10s. per 100 gallons per day per annum. We have continued that and are simply carrying on the old arrangements. Whether we will come to the conclusion that a permanent rate would be the better way, is for the future to determine.

2418. Have you not considered the question of whether you should reduce your water rate and levy a Municipal rate?—No, that has not been discussed to my knowledge; I might say that I have only been a few months on the Committee.

2419. *Mr. De Villiers.*] You say that you have no power to go out of the Cape Division?—According to this Act, not.

2420. But all the Municipalities can go out of the Cape Division?—Yes, they can under the Public Health Act.

2421. Of 1897?—Yes.

2422. And they could empower you to go?—Yes.

2423. Then you would not need an Act for that?—Probably for that we would not.

2424. Do you know the Wynberg Water Supply Act, No. 34 of 1887?—No, I do not know that Act.

2425. They can give you the right to obtain a supply; and you can join their Water Scheme within a certain period by giving notice under Section 20 of that Act that you claim a share in that water supply? Claremont and Rondebosch both have this right, now do you know why they did not avail themselves of it?—I could not say, I was not a member then of the Municipality, and I don't know their reasons.

2426. You said you were considering the question of taking over the Steenbras River Scheme: what does that mean, sharing it or taking it over solely for yourselves?—No, the offer has been made by Rondebosch and Mowbray who practically own the scheme at present, and they offered to sell their rights at cost price plus expenses up to date.

2427. Then you were not speaking of their sharing altogether?—The motion was to accept it and take it over at the discretion of the Municipalities of course.

2428. I see you have been speaking as a member of the the Water Board, and not as a member of the Council?—Yes.

2429. We have it that the Water Board has legal opinion on the question of one Municipality undertaking a supply?—I don't know, I have not seen the opinion.

2430. *Chairman.*] The Chairman of the Committee told us that the Councils have an opinion on the question of any of the four Municipalities going in for their own water-supply, and told us he would let us have a copy of it?—I have not seen it.

2431. *Mr. Stewart.*] I think you said you did not know why the Claremont Municipality did not claim to join the Wynberg Scheme?—No.

2432. Can you tell us who was the Mayor of Claremont at that time?—What year was that?

2433. 1887-1888?—Mr. J. C. Molteno.

2434. I suppose the Mayor at that time would be able to give us some enlightenment on that question?—I have no doubt.

2435. Do you know what the ratepayers in Wynberg have to pay for the water per 100 gallons for a house per year?—No, I don't know.

2436. You don't happen to know that it is about £2?—I believe it is somewhere about that, but as I am not residing there, I am not conversant with their charges.

2437. Assuming that the Wynberg people pay £2 and the other Municipalities £2 10s., it appears that the disruption has meant an increased charge to the ratepayers of the latter?—The present Board took the matter over as a going concern, and keep it on at the same price which the Company charged before them, and when the matter was considered by the arbitration, we found that a good deal of the plant had depreciated very considerably. We knew that the mains would require to be relaid in several points, we also knew that we could not increase our capital, but would have to maintain these works out of revenue, and I therefore think that it would have been unwise for the Board to have reduced their charges before they have had two or three years experience of the working of the business.

2438. At present the householder in Claremont has to pay £2 10s. where the householder in Wynberg only pays £2?—Yes.

2439. In your capacity as a Councillor of Claremont, do you know anything about the Fernwood, Poplar and Snake Streams?—Well, as a part owner, I know a little about the Fernwood Stream.

2440. Can you tell us where that water flows to in the ordinary course?—At present all the extra water is distributed through the grounds of Fernwood for Mr. Rudd's use.

2441. And any surplus?—Mr. Rudd had the power to use every drop of that water; he used it up in his garden by irrigation. In the summer time he used up every drop, but I suppose in the ordinary course the residue would go to the Liesbeek River.

2442. Supposing the water was not interrupted on the way, where would it go to?—To the Liesbeek River.

2443. There are some water rights on the Liesbeek River?—Yes, I believe so.

2444. And have any of the riparian owners along the Liesbeek River objected to the diversion of the water for the purposes of the Waterworks Company?—Not to my knowledge.

2445. Has that water been diverted yet?—Are you speaking of the Fernwood Spring?

2446. Yes.—It has not been diverted yet.

2447. Have the Waterworks Board as yet diverted any of the water for the purpose of supplying the inhabitants?—No.

2448. Can you give us any instances of storage reservoirs which would enable you to draw a comparison in regard to the outlay of £71,000, which you propose to spend on one having a capacity of 30,000,000? Can you say whether it is an extraordinary price or not compared with similar reservoirs?—I am not prepared to go into that.

2449. *Mr. Laurence.*] I should like to know whether in considering the construction of the proposed new works, as, for instance, the spending of £71,000 on that reservoir, you consult the ratepayers of the four Municipalities?—The ratepayers have delegated their power to the Committee. Section 2 of Act No. 34 of 1898 gives you an answer to that, it reads as follows: "The said Councils shall when it becomes necessary or expedient so to do, have full power and authority, acting jointly, from time to time to take all necessary steps to augment the water supply of the Districts through and over which the Company's operations extend and within the Cape Division as may be agreed upon in such manner as may hereafter be decided on by the said Councils, and agreed between them: provided that nothing in this Section contained shall be taken to confer any power upon the said Councils to borrow any sum beyond the said sum of £500,000 sterling for the above purpose." So that Claremont gives their consent to the Committee to complete that reservoir.

2450. Yes, I understand that the powers of the Water Board were delegated to them by the Council?—Yes, that is so.

2451. Now then, does the Council consult the ratepayers?—They did in regard to the taking over of the scheme. This Act was promulgated by consent of the ratepayers.

2452. Supposing you wish to spend a couple of hundred thousand pounds, would you consult the Councils in regard to the spending of that money?—Yes, if we wanted to exceed our borrowing powers provided for under the Act.

2453. *Dr. Gregory.*] You have already £300,000?—Yes.

2454. And you cannot borrow over the £200,000 as a Board, but the Councils acting jointly can borrow it?—Yes.

Messrs. *Hugh Donnan* and *David Walker.*

21st April, 1902.

2455. And they acting jointly can only build the reservoir?—Yes, and that £71,000 will be paid out of the £300,000 which they borrowed.

2456. *Mr. Lawrence.*] My point is this: supposing the Water Board wishes to spend another £200,000, do they have to consult the ratepayers before undertaking this new work? Do they have to submit their scheme, or could they spend the money any way they like? Should they have to apply to the Councils and the Councils consult the ratepayers?—No, under the Act they have the power.

2457. *Chairman.*] Then you have proceeded to spend the £71,000 borrowed without the Council of Claremont consulting the ratepayers of Claremont?—Yes.

2458. *Mr. Lawrence.*] You maintain that you can spend the other £200,000 without consulting the ratepayers?—Yes. I do not think it is necessary under the Act.

2459. I think you have mentioned the Steenbras River Scheme, and also the Oliphant's Hoek River Scheme?—Yes.

2460. And what is your opinion of them?—There are no two opinions in regard to the qualities of the water; the Oliphant's Hoek is superior water, but I don't think the storage capacity is so good. The Steenbras River can have an unlimited quantity of water stored for very much less cost.

2461. I understand that Wynberg has a very good water supply, is that so?—Yes.

2462. Have they surplus?—No, they had a shortfall this last year like all the other portions of the Peninsula; they could not supply full quantities.

2463. Do you know of any other schemes than have been considered by the Municipalities for the supply of the Peninsula outside the Steenbras River and the Oliphants Hoek?—No, I don't know of any, although I think there has been some prospecting on Table Mountain.

2464. *Mr. Stewart.*] Do you know whether the shortness of water at Wynberg was due to the insufficiency of their Waterworks or to their having no additional water available?—Well, I understood, though I cannot speak dogmatically, that the streams gave out at certain periods in the summer with the result that they could not supply their ordinary demand.

2465. Do you know whether a large quantity flows away which could be utilised if proper works were in existence?—I am not in a position to say that.

2466. Would you be astonished to hear that on the Orange Kloof Farm about a million and a half gallons per day actually flow away which could be rendered available?—Well, I am not aware of those facts.

2467. Did your Board ever ask Wynberg whether they had any surplus of water which they could dispose of to your Board?—The Board did not ask, but I think a portion of the ratepayers of Claremont made application to Wynberg.

2468. Do you think they could get a supply of water without the consent of the Waterworks Board?—Well, the application was made during the reign of the old Company; at that time the Company was not in a position to supply these portions, and the ratepayers made application to Wynberg. Wynberg replied that they would be willing to supply the water if they were allowed to annex that part of Claremont, which our Council would not permit, and the thing fell through.

2469. Do you know whether they asked to get this supply permanently, or for a particular season?—I think permanently.

2470. *Chairman.*] You have no interconnection now with Wynberg in regard to the water?—No.

2471. Are you under an obligation to meet any railway demands?—We supply them up to 120,000 gallons, but I don't think we are obliged to. We take them as landowners.

2472. And you say they cannot call upon you to supply a given minimum of water?—No.

2473. Can they call upon you for any amount?—Only as ordinary ratepayers.

2474. Do you charge the Railway Department the same price that you charge others?—I think they have a reduced tariff, but these are facts relating to Municipal Water matters into which I am not now prepared to go.

2475. I think you charge the Railway Department by meter, is not that the case?—Yes.

2476. You contend that you are not bound to supply the Railway Department?—I take it we are not, beyond their right as ordinary ratepayers.

2477. So that if you sell to them 60,000,000 gallons in the course of a year, you would not be really obliging the Railway Department to the disadvantage of the ordinary consumer?—No, we would be obliged to supply them in the ordinary course as ratepayers.

2478. Does the Department pay rates?—They own land, but they don't pay rates.

2479. What do they use the water for?—For station and domestic purposes, and also for their engines.

2480. You cannot differentiate between public uses and domestic uses?—We cannot for household purposes, but for trade purposes we can refuse.

2481. Then for domestic purposes the supply would be to the Station Master's dwelling-houses and to the cottages?—Yes.

2482. What do you pay in Claremont for water for the streets?—1s. per 1,000 gallons.

2483. Does the Municipality pay that to the Committee?—Yes.

2484. Is that the only use that you make of the water publicly?—No, we use it for the wash-house.

2485. And by paying at the same rate?—Yes.

2486. These ratepayers of Claremont who wanted Wynberg to supply them with water, are they getting any supply at all now?—No.

2487. They are without a supply?—Yes.

2488. Although there is really a supply at hand, if it were not for these arbitrary divisions by Municipal boundaries?—Yes.

2489. Why did Claremont refuse to go with Wynberg under these circumstances?—From a Municipal point of view it would not have been a wise thing to alienate any part of their Municipality. I don't think as a Municipality we could.

2490. Is it not a prime duty of Councillors as the local authorities to supply those inhabitants with water?—At the time that the application was made the old Company had the matter in hand, and the Municipalities had no power, except that they intended taking over the Company by arbitration, and the first thing they did when they took it over was the building of a new reservoir in order to supply the Paradise Estate, which is at a very high level in Claremont, and also the higher parts of Woodstock.

2491. Is that why you are putting up this large reservoir?—Yes. The reason is to supply these two high levels, Woodstock, and the Paradise Estate in Claremont.

2492. Do I understand that you are incurring this large expenditure on the reservoir merely to supply an area which could under existing circumstances be well and cheaply supplied from Wynberg?—We are making it to supply a want. It is for the whole Municipality, and at present we have only a storage capacity of 750,000 gallons, which is our service reservoir, and is altogether inadequate, and therefore the Committee decided to complete a larger reservoir on a higher altitude, so that they could have a larger storage capacity and be able to supply higher points.

2493. If it were not for the high portions of the Municipality, could you not have increased your Municipal supply at a proportionately less expenditure?—I don't think we could have done it then; now of course there is the Fernwood supply, which has only just come into the market, and from that the Paradise Estate could be supplied.

2494. Supposing Wynberg, Claremont, and Mowbray were amalgamated, would you then consider it a good investment to complete this reservoir? Could not Wynberg have supplied all the needs?—No; I take it that if all these various Municipalities amalgamated they would have to go further afield and get a larger storage capacity. For instance, if we take the Steenbras River supply, we could not draw direct from the mains, but we would first of all have to bring it into our reservoir.

2495. Does it not advance the argument that these reservoirs at a high altitude should be intended to supply the higher parts of the Suburbs only which could not be supplied by the Steenbras River or any other similar scheme?—The Steenbras River could supply almost any altitude, as it runs at a high level.

2496. That would mean pressure?—Yes, it would have to be broken on the way.

2497. Then you could not carry it up?—The storage reservoir would be high enough to supply all the wants, as above that level there is no land suitable for building.

2498. But still if you amalgamated, Wynberg Reservoir would serve all the needs of the higher points?—Yes, but when this reservoir was decided upon there was no idea of amalgamation.

2499. If you had intended that, would you have undertaken this reservoir?—Personally, in that case I would not have voted for it.

2500. *Chairman.*] You don't intend to pump water from the springs into the upper reservoir?—We can if we need to.

2501. Is your plant or engine strong enough?—Yes, I think so.

2502. *Mr. Dyer.*] In case of this dam not being erected, you could not supply the upper portions of Woodstock?—No, for that it would be absolutely necessary to have the higher reservoir.

2503. *Mr. Lawrence.*] Could Cape Town supply Woodstock?—No, Cape Town could not supply itself during a certain period of the year, and there was a time when the old Company had to be tacked on to Cape Town to help them.

2504. But I am referring to the levels?—Yes, as regards levels Cape Town can supply Woodstock.

2505. *Mr. Stewart.*] But would it not be better to let Wynberg supply the higher levels than to have this expensive reservoir?—I dare say, if it were practicable to amalgamate Wynberg.

2506. Do you know the height of Kloof Neck above Cape Town?—No, but I take it to be about 900 feet.

2507. Then you could distribute from there to any level in Woodstock?—Yes.

2508. Between Cape Town and Wynberg you could supply all the higher levels round the Peninsula?—Yes.

2509. You have referred to the fact that it was necessary to receive the water from the Steenbras River into a storage reservoir?—Yes.

2510. You mean really a service reservoir?—Yes.

2511. Which would hold two or three days supply?—Yes.

2512. So that you would not require it to be that size?—Well, something may go wrong with the pipes, and therefore it would be absolutely necessary to have a storage reservoir in order to tide over any period of interruption. I am not an engineer, but still that appears to me to be the common sense view of it.

2513. Then supposing you had communication with the supply on Table Mountain, would not that meet you in respect of repairs to the others?—Table Mountain is not able to supply Cape Town, and therefore it would be folly for the suburbs to apply to Cape Town in the summer.

2514. Do you know how much Table Mountain can supply per day?—I only know that it could not supply in the height of summer.

2515. When was that?—This year.

2516. Do you know how much water was in store even this year?—I cannot answer that, but I know that many ships in the Bay had to go without water; in fact, one ship had to supply the other.

2517. Supposing Cape Town had sufficient works to conserve all the water available on Table Mountain, would it not be able to supply during a temporary break down between this and Steenbras River?—Yes, if it could conserve all the water, but if you ask my personal opinion, I would say it is unwise to link your faith on one point only. Table Mountain might give out at any time, a slight shock of earthquake might put an end to your supply there. I think it would be wiser to go further afield and get a larger supply, and I think the Steenbras River is a suitable field, and water can be stored there to supply all the Districts for many years to come.

2518. We were discussing the question of a larger supply and the real necessity to build this reservoir for £71,000, now, an earthquake would as readily apply to the Steenbras River as it would to Table Mountain?—Yes; I might say that with regard to the building of the new reservoir, it was our intention to store up this 30,000,000 gallons when the water was running, which would serve as a standby in time of need.

2519. *Chairman.*] Have you any system of drainage in Claremont?—We have only stormwater drains, but no proper system of drainage.

2520. Open drains?—Yes, only for stormwater.

2521. And close drains for stormwater?—Yes, certain parts.

2522. Cross streets and so on?—Yes.

2523. You have no drains from houses?—No, we are daily removing slop water at our own expense.

2524. And the stormwater drains are they adequate for your requirements?—No far from it. We have been adding year by year but we have not enough.

2525. The Liesbeek receives the stormwater from the larger area?—Yes.

2526. But in spite of that you consider you still require stormwater works?—Yes.

2527. Has any damage been done in Claremont owing to the absence of these?—Yes, considerable damage.

2528. Have you had to pay?—Yes.

2529. How much?—In one instance we had to pay about £400 as a result of a lawsuit.

2530. Was that avoidable in any way, I mean was it owing to the neglect of anything which the Council might have done to their main?—Well I might say that in the early period of the Municipality when there was a good deal of vacant land, the system was to turn the water on to that vacant land as a means of getting rid of it quickly, and the damage has resulted from that.

2531. The storm water drains should really carry the water to the Liesbeek?—Yes, and to the other rivers.

2532. But you are not at that point of efficieney which you would like to be at?—No, there is a portion included for this purpose in the new loan of £26,000.

2533. And are you having the work carried out under the superintendence of an Engineer?—Yes.

2534. You have a Town Engineer?—Yes, but I may say that we have Mr. Olive, who surveyed the district and mapped out certain lines for us, and we are practically following these.

2535. In the absence of house drainage you have a collecting system?—Yes.

2536. And you work that by the Council?—Yes.

2537. It has cost you something like £3,000 within the last twelve months?—Yes, about that.

2538. *Mr. Lawrence.*] That is for drainage?—Yes, for sanitary removal.

2539. *Chairman.*] If you had a good drainage scheme you would save all that money?—Yes, and have a very much better service.

2540. Do you think it would be possible then to dispense with the whole of that eventually?—There would of course be the interest on whatever loans we might raise, but I think we would get a much more efficient scheme and pay much less every year than we are paying at present for an inadequate service.

2541. Your present sanitary system runs into the interest of about £80,000 at 4 per cent?—Yes, and the charge at present to ratepayers would be done away with.

2542. Have you any comprehensive scheme afoot for the underground drainage of your Municipality?—We propose, in fact, we were invited by Woodstock to join issue with them in a common sea outfall together with the other Municipalities between, and we have got to that point that we have consented to join. We have further arranged to engage Mr. Olive as Engineer for our portion of the work, and we are only now waiting on Woodstock.

2543. You mean that the Engineer who has given the plan for the outfall to Woodstock has surveyed your Municipality with a view to connecting?—Yes, it was only a flying survey, but it is sufficient to enable us to form a basis, and if the scheme goes through then we have arranged to employ Mr. Olive as Engineer for our Municipality.

2544. What does that scheme include?—The whole drainage of the Municipality, that is for sewage, not for storm-water. It also provides for a trunk sewer, and then of course it includes the sea outfall. To this we have agreed to pay our *pro rata* share of the cost.

2545. But your idea is to carry out your portion of it under the superintendence of the same Engineer who is doing the Woodstock portion, and to that extent you would act jointly with Woodstock?—Yes, I might say that our Municipality is independent of Woodstock as far as the internal sewerage is concerned, and we simply join in one sea outfall.

2546. Have you any estimate of what your share of the cost would be?—Our internal sewer would cost about £30,000, and the trunk sewers and outfall would cost about £40,000, so that roughly it would cost us £70,000.

2547. Individual householders would have to connect with the trunk?—Yes. The details have not been worked out, but our idea is that the roads running through the most congested part of the Municipality should be sewered; of course for the more outlying parts it would not be wise to lay the pipes as it would be an enormous expense, and we propose to continue to deal with them on the bucket system. As they continue to build up from time to time we will take them in. For instance, we have a large portion still to be built upon, and we therefore propose to confine ourselves to the more congested portions.

2548. Then from the area that would not be sewered, you would continue to collect as now?—Yes.

2549. And there would be no special charge?—No, we would collect that and it would be paid for out of rates.

2550. Is it understood that there will be no difficulty about the scheme?—So far we contemplate no difficulty. Of course it has not been before the ratepayers yet, but as I said we are waiting on Woodstock.

2551. Have you given any consideration to the point of what you would do supposing you cannot have the outfall in Table Bay?—Of course we have not come up to that yet, and we look upon it that there will be no objections.

2552. Do you know whether the consent of the Harbour Board has been acquired for that scheme?—Well the consent of the Harbour Board has been given to Cape Town.

2553. In what direction?—To the Green Point outfall.

2554. But that is outside the breakwater?—Yes, but there is an outfall this side of Adderley Street.

2555. Are you sure of that?—There was another outfall there.

2556 Has it not been stopped now?—I don't know.

2557. Is it not a fact that it is only a stormwater outfall?—I am not positive of it now.

2558. As far as you know no consent by the Harbour Board has been given?—No.

2559. Are you aware that the Harbour Board is the Table Bay conservancy and has something to say?—Yes.

2560. Then it will be for Claremont hereafter to consider what would be done with their drainage if the present scheme cannot go through?—Well, it has been in the minds of some that as an alternative it might be done by the septic tank or some other method, and that the residue of it would run into Table Bay.

2561. And there would be land within your area that would be suitable for that purpose?—Yes.

2562. And if it were necessary to have a sewage farm, that could be acquired readily?—Yes, I think that has been disposed of, though the greater portion of Claremont lies low, and I don't think it could be done. I think that was either Mr. Dunscombe's or Mr. Pritchard's scheme. Besides, we cannot shut our eyes to what has taken place in Europe. Berlin was looked upon as a model of what could be done by the sewage farm system, but experience has proved it to be a failure, the land becoming so saturated that it will not take the drainage, so that the only way is a sea outfall. We are going on the presumption that there will be no prohibitive Act to our carrying it through.

2563. As a member of the Town Council of Claremont, have you considered some other possible plan?—Yes, the septic tank system could be introduced if the effluent were allowed to run off.

2564. Have you seen this done anywhere?—I saw it in Scotland at Barrhead, where I had the pleasure of inspecting the works where they had that system, to which there were no objections.

2565. Is not that known as the Cameron method?—Yes.

2566. *Mr. Lawrence.*] And the Scott Moncrieff too?—No.

2567. *Chairman.*] Then would you be prepared to favourably entertain a scheme of that kind?—Yes, I think if, assuming that the sanction to our going in for a sea outfall is later on not granted, owing to its being detrimental to the interests of the Harbour Board, then the sewage could be treated by the septic tank system.

2568. Is it part of the present scheme to have the septic tank?—No.

2569. But the installation of the septic tank would alter the whole proposal?—No, it could be done by a simple installation of the system. There would be no difficulty in adding it to the scheme.

2570. But then you would have to provide for the effluent from the tank into the main sewer, and therefore to serve the individual householder it would involve considerable alteration in the proposal?—Not a serious amount compared with the total amount to be expended; it would be a very small thing to add this.

2571. *Dr. Gregory.*] Where would you have your bacteriological tanks?—Well, I could not exactly say.

2572. If you want that bacteriological system, would it be possible to discharge into the Liesbeek?—Yes, but I don't think it would be allowable under the Liesbeek Act.

2573. *Chairman.*] Is it not a fact that effluent from septic tanks are in Scotland and other places discharged into rivers?—Yes, but I think the Act of the Liesbeek River would prevent our doing it.

2574. *Dr. Gregory.*] You propose joining with Mowbray, Rondebosch and Woodstock; why do you exclude Wynberg?—Well, I think Wynberg has excluded itself. I might say that I have had conversations with many of the Councillors there and they are all unanimous on the point of being isolated. Their watershed really runs towards False Bay.

2575. In Kenilworth you are taking stormwater belonging to Wynberg into your surface drains?—That is so.

2576. Then you would have to take Wynberg sewage into your drains?—It is a moot point between Wynberg and ourselves. These roads are so constituted that the natural drainage comes to Kenilworth Road over which we have jurisdiction.

2577. But geographically some portions of Wynberg would flow in your direction?—Yes, that is so, but they could drain it by making their sewers very low.

2578. It would be very expensive?—Yes.

2579. What area of Wynberg would that comprise?—About 200 acres roughly speaking.

2580. If you had your drainage system and Wynberg had its drainage system, you would probably be in a position to pay Wynberg out in the same way in regard to

this portion as she paid your ratepayers out in regard to water? You could refuse to drain for them?—Well, of course that is a point that would need consideration when we come up to it, we have not contemplated that yet.

2581. If such a state of things could come about in regard to the water-supply, it might come about in regard to drainage?—It is possible. Personally I would not be averse to Wynberg joining. I should say it would be better if we had a combined Municipality with smaller vestries for looking after local affairs, such as passing of plans for the various districts and so on, and I might say that, personally, I am of opinion that it would be better if we had a combination from False Bay to Table Bay.

2582. But now as regards drainage is concerned, do you think it would be better to have a joint scheme?—Yes, I would say so.

2583. How does Wynberg propose dealing with its sewage?—I believe they are inaugurating a sewage farm. They are at present busy laying the mains.

2584. They won't have any sewage effluent that will eventually come your way?—No. It will all go the other way as far as I know; but I have not seen their plans, and therefore cannot speak in regard to their system.

2585. Some of your storm-water drains are taking sewage?—Yes. It is very difficult to control these things. People will put matter in that should not go in. We are stopping it, and a good many have been before the Magistrate.

2586. In consequence of this, have you had to expend any money in making temporary drains?—No, we have spent money in making these existing drains so that the various owners cannot put sewage into them. We have simply spent the money to prevent sewage going into these drains, and in some instances running along the main roads. We found that many of the owners had the drains laid ostensibly for storm-water, but actually allowed sewage to go into them, and we had to prevent that.

2587. Where does it go to now?—It is collected by the slop carts.

2588. In this scheme that you are considering now, you as a Municipality are only concerning yourselves about the drains in your own district?—Yes.

2589. And it is immaterial to you as long as you get your sewage through to your boundary how it is dealt after that?—No. The Municipalities will have a say in the trunk sewers. From the time the sewage leaves Claremont it will pass through Rondebosch, and so on until it joins the sea outfall, these trunk sewers will have to be maintained by the Municipalities concerned.

2590. Then you will require a general Board?—Yes, similar to the Water Board.

2591. With special Officers?—Yes, I suppose in the nature of things we will require that.

2592. You have had no difficulty with the Scheme in regard to your plans and so on?—It has not got to that stage.

2593. *Mr. Stewart.*] Do you know what the Wynberg Municipality proposes to do with the underground drainage in the piece of ground between Indian Road and Kenilworth Road?—No.

2594. You have seen the plan?—No.

2595. So you don't know anything about Wynberg drainage?—No.

2596. Have you seen the effluent from the bacteriological tanks?—I have handled it.

2597. Supposing you could work it, would you be permitted to put it into the Liesbeek River?—Personally, I don't think there would be any bad results from it; I have seen water into which it runs, which is comparatively pure, fish living in it.

2598. Are there fish in the Liesbeek at present?—I think so.

2599. So that if the effluent was good enough for the fish to live in there would be no objection?—Yes, provided there are no houses supplied from the river.

2600. Then the outfall sewer would not be necessary?—Yes, if you take away the Liesbeek Act, then I think it would not be. I am not, however, advocating the septic tank system, but I am only mentioning it as an alternative, the consensus of Engineering opinion is in favour of a sea outfall.

2601. Supposing you are not allowed to have your sea outfall you propose to have bacteriological tanks?—Yes, and the effluent to run into the sea.

2602. By a main sewer?—Yes.

2603. But if you got this Liesbeek Act repealed and you were allowed to run your effluent into the Liesbeek River itself, would it not be a saving to do away with your outfall sewer?—No, the outfall sewer would be cheaper in the long run than the septic system or a sewage farm, which involve a continual annual expenditure. I might instance Glasgow, whose sewage principally went into the river Clyde. They inaugurated a system which cost them about £100,000, and they sold the solids as

Messrs. Hugh Dunnan and David Walker. 21st April, 1902.

manure to farmers. In about four or five years the farmers discovered that it did not enrich the land, and they would not take it at any price; it then became necessary to inaugurate a system of steamers Hopper, to take it away to the sea.

TUESDAY, 22ND APRIL, 1902.

Present :

Hon. Sir BISSET BERRY (*Chairman*).

Dr. A. J. GREGORY.	Mr. W. E. GURNEY.
Dr. A. J. ANDERSON.	Mr. T. STEWART.
Mr. LAWRENCE.	Mr. T. N. DYER.
Mr. J. E. R. DE VILLIERS.	

Mr. Thomas Rees Price, C.M.G., examined.

Mr. T. R. Price. 22nd April, 1902.

2604. You are General Manager of the Cape Government Railways?—Yes.

2605. And you have occupied that position for some time?—Yes, since May of last year.

2606. Can you tell me for how many years you have been connected with the work of the Railway Department?—Yes.

2607. And you are well acquainted with the requirements of the Railway Department in regard to water and so on?—Yes, ever since I have been connected with the Railway Department since 1880.

2608. And you have been in this part of the Colony for a good portion of that time?—I have been in this part of the Colony since 1894.

2609. This Commission has been appointed to consider amongst other things what would be the best sources of a water supply to meet the requirements of the whole of the Cape Peninsula, and amongst these requirements are included the wants of your Department. The questions which we would like to put to you therefore would have reference mainly to that matter, unless there are other matters upon which you are prepared to give evidence. Now, you are acquainted with this return that has been put in?—Yes, I am.

2610. I suppose that you are supplied in Cape Town with water; now, who supplies you?—We have several sources of supply. The main source in so far as the purchase of water is concerned is from the Cape Districts Water Committee with whom we have an agreement for a supply of a maximum of 120,000 gallons per day. We have another agreement entered into with Mr. Centlivres, whereby we get or should get a supply of water of 80,000 gallons per day.

2611. That is Mount Pleasant?—Yes.

2612. Any other supplies?—Yes, we have another agreement with the Wynberg Municipality, whereby we can call upon them to supply us with 100,000 gallons of water; but we have not exercised that right yet, and it is at present not our intention to do so. These are our main sources of supply under agreement. In addition to that we have been securing water for ourselves by boring at Newlands, also near the Steam Shed, near Cape Town, and latterly we have been boring successfully, I am glad to say, at Rosebank. Our agreement with the Cape Districts Water Committee is for a certain fixed period, and it runs until 1910 with the option of renewal on the part of the Government for a supply on the same terms for a further period of 20 years. We are paying to the Cape Districts Water Committee a little over a shilling per 1,000 gallons, to the Mount Pleasant owners £100 per quarter; and our agreement with the Wynberg Municipality is to pay one shilling and threepence per 1,000 gallons.

2613. Do you require water for what may be called domestic purposes in connection with the Railway Department?—Yes; roughly speaking two-thirds of our water supply is used for locomotive purposes, and the remaining one-third for domestic purposes. The locomotive supply includes electric lighting. That is of course only

approximate, but I merely supply these figures now to give the Commission some idea of the quantities.

2614 Does the Department pay for the water taken for domestic purposes?—Yes, it is included in all the payments which I have mentioned. 22nd April, 1902

2615. There is no charge to those who use the water domestically?—No ; I should mention that when I referred to the one-third required or used for domestic purposes, I included the water used for station purposes in addition to what is used by the Station Masters and others in their private homes.

2616. Water for domestic purposes would simply include those houses which are occupied by the employees of the Railway Department who live within the bounds of the Railway Works?—No, when I said one-third quantity of the water was used for domestic purposes I had in my mind water used for station purposes, such as cleaning purposes, and so on, besides what the employees use in their private homes.

2617. You don't supply water to employees who live outside the bounds of the Station?—No, not to persons who do not live on Government property.

2618. And you charge these people anything for the use of the water?—We have not been charging.

2619. That practically is your supply of water in what we may call the Peninsula in the neighbourhood of Cape Town?—Yes.

2620. Outside that range have you any arrangements for supplying water taking the various lines of railway, say, as far as Simonstown, the line to Sir Lowry's Pass, to Malmesbury, and the main line northwards, can you give us the information roughly?—As to the portion of the line between Wynberg and Simonstown we have a water supply that we only partially exercise our rights of, such as at Muizenberg, and also at Kalk Bay, besides receiving a certain quantity of water from the Municipality of Simonstown.

2621. Under advantageous conditions?—Moderately so; then on the main and its branch lines we have an arrangement enabling us to get water at Sir Lowry's Pass, Somerset West, at Stellenbosch, and at Malmesbury. And we also pump water from the Berg River near the Paarl, near Lady Grey Bridge Station. The approximate quantity of water that we use at these various places per day is at Kalk Bay 3,000 gallons, Simonstown 10,000 gallons, Kraaifontein (where we pump) 3,000 gallons, Paarl 40,000 gallons, Bosman's Crossing, which is the Stellenbosch supply, 9,000 gallons, Somerset West 2,000 gallons, Sir Lowry's Pass 10,000 gallons, Malmesbury 5,000 gallons, Moorreesburg 14,000 gallons.

[* Mr. Price subsequently reported that water sufficient for Railway purposes was obtained from a well by means of a hand pump, and a borehole by means of a windmill pump, the previous source of supply—from Mr. Lochner's dam—having been discontinued.]

2622. The supply at Moorreesburg; how is that obtained?—By pumping.

2623. And between Moorreesburg and Malmesbury?—We get at Malmesbury 5,000 gallons a day, the water rights of which were purchased some years ago for the sum of £1,600. Unfortunately the water is not good for railway purposes, and my information is that throughout that district the water is not suitable for railway purposes. As a matter of fact, however, I am now negotiating for the purchase of water in that neighbourhood which is reported upon as good, and I am going to get that specially tested.

2624. Is that owing to the chemical composition of the water?—I am now mentioning it particularly from a locomotive point of view.

2625. It interferes with the working of the engines?—Yes; water containing lime or salt in any quantities is unsuitable for our purposes. We always endeavour to avoid that class of water.

2626. Speaking generally of all the requirements of your Department, are those sources of supply which you have just mentioned susceptible of improvement?—Yes, we think they are.

2627. And you would be very glad, I suppose, to see methods of improvement suggested?—We hope that as the outcome of this Commission there will be a better supply obtainable, otherwise we are endeavouring to obtain a better supply for ourselves.

2628. In the meantime would you defer until you see what the report of this Commission is?—Yes; we are, on account of that, moving in a leisurely way.

2629. It is slightly beyond the scope of the Commission, but I would like to know, and I think the Commission would like to know, whether we might take into consideration in our recommendation of a scheme the question of a water supply for the needs of your Department outside the Peninsula?—I should like to emphasise the advantage it would be, I submit, to the Colony generally and to the Peninsula in

Mr. T. R. Price. 22nd April, 1902.

particular if the supply could be obtained from sources traversed by the Railway, and it would be my duty to recommend to the Government to gvie any support that it might be possible in regard to obtaining water from any source that would be outside the Peninsula area which would be served by the Railway, for two reasons. First of all it would enable us to draw our supply as the Commission might resolve to recommend, *en route* to Cape Town, whether it be from one or two or more sources. In addition it would be of advantage to the Peninsula as it would be of advantage to the Railway to have a good supply of water along the Railway route which could benefit the land apart from railway purposes in this way: The tendency to purchase land along the Railway lines for building purposes is very manifest now, and what I have been able to gather if these purchasers were sure of water supply in the neighbourhood more building would take place. That would be an advantage to the revenue of the Colony through the Railway Department, and it would also be of advantage in enabling us to give an improved railway service to those particular areas as a result of the building. For that reason I should wish to urge upon the Commission the advantage it would be to secure a water supply from any area served by the Railway, and that it would be preferable to obtain the water in that way than to have to look elsewhere.

2630. Then one of the practical effects of that would be, that, assuming that we find a very large supply of water available but that the cost of bringing that water to the Peninsula would be very large, greater than would be the cost of some other supply, but that by means of the former supply we could show that we could serve the Railway with all its requirements *en route* we might thereby have a means of getting over the difficulty of the increased cost? Do you follow me?—Yes, I think I do, and I would say in answer to that provided the cost to the Railway Department was within the proximity of what we could secure the water for ourselves, proceeding on the lines I have indicated, I should feel justified in advising the Government to secure our water supply if possible from this or any other source as long as it travels along the route of the Railway.

2631. Of course it would be a condition precedent that the quality of water met your needs?—Yes, otherwise it would be expensive water almost at any price.

2632. I suppose it would be immaterial to your Department whether you are to assist such a scheme with capital or water charge?—It would be immaterial; we shall be prepared either to contribute a lump sum towards the cost of providing that supply—approximately corresponding to what we could obtain it for ourselves—or pay a reasonable rate per thousand gallons also to the extent of what we should have to pay if we provided for ourselves.

2633. Really it would amount to this, that, if we could find a source of a very large supply of water that will serve the Peninsula fully and would also serve the Railway Department fully, with all its requirements, and which would thus be susceptible of a large development, the financial needs would be forthcoming for such a scheme?—I think so, and I hope the Commission will take into consideration the possibility of obtaining that source of water from more than one direction, so as to be able to serve more than one line of railway.

2634. It might be possible to obtain supply from several sources in independent areas, and eventually lead them to the Peninsula together?—That was what was in my mind.

2635. And it would be of advantage at the same time if every one of these independent sources could at the same time supply a line of railway?—Yes.

2636. The arrangements by the Department are not of such a permanent character as to preclude them from entering into any new arrangement in furtherance of suitable schemes?—With the exception of the Cape Districts Water Committee, which has 8 years to run. But I am looking forward to the growth of the trade being such that we should require a further supply of water, and we could enter into arrangements for the immediate further supply plus the quantity we should require later on. I may say with regard to the Mount Pleasant supply, where we are entitled to 80,000 gallons of water per day, we cannot really in summer get our full supply. With regard to the Wynberg supply I understand that the Council would be very glad to be released from their obligations.

2637. Possibly the same thing might happen with reference to the Cape Districts Water Committee?—It may be so. At present it is our stand-by, so that we would not release them of their obligation until we are sure of a supply elsewhere. They supply us with a minimum of 20,000 gallons of water per day and a maximum of 120,000 gallons per day.

2638. But you sometimes go beyond the 120,000?—Yes, that would be so, but anything over and above that we would be justified in taking from anybody else.

2639. That costs you an average of over £3,000 per annum?—Yes, it

works out just over one shilling per 1,000 gallons; for the first 20,000 gallons we pay a little over 1s 1d., and over and above that 1s. per 1,000.

2640. You are supplied by meter?—Yes.

2641. How does that compare with what you pay to Cape Town?—The charge we pay to Cape Town is 10s. per 1,000 gallons.

2642. That is ten times as much as you pay for the other?—Yes, and hence we take from them as little as possible.

2643. Is the price intended to be prohibitive?—Possibly; I wrote to the Town Clerk on the subject to see whether, if we took a fixed quantity, we could not obtain the water at a lower charge, but the correspondence did not lead to any reply beyond an acknowledgment being returned.

2644. Then the net result of your evidence is that your arrangements are not very satisfactory for the supply of water to the Department, taking them as a whole?—We are taking steps to improve them.

2645. Have you had shortage during the last summer?—When there was a prospect of shortage we at once proceeded to obtain water for ourselves, and I am glad to say we were successful.

2646. You have to spend money in that direction daily, such as in the upkeep of the pumps and wages paid to the workmen?—That is also a matter that has engaged a good deal of attention, and the result of our investigation is that if we take in large quantities of the water which we can obtain in the Peninsula it would enable us to do so to advantage.

2647. You spoke of a good supply you acquired at Rosebank. Do you use that for engine purposes?—Yes, and we can obtain 60,000 gallons per day close to the station.

2648. To what cost would it work out for a similar quantity supplied by the Water Committee?—We have not been able to test it sufficiently yet in order to form a comparison, because if we pumped continuously we have not had the means of ascertaining at what level the water would remain. If we continue to get the existing large supply the cost would be less than that made by the Cape Districts Water Committee.

2649. *Dr Gregory.*] At Rosebank the water has acted satisfactorily for engine purposes?—Yes.

2650. And for domestic purposes too?—We have sent it for analysis, but remembering that there is a possibility of soakage, we should at any rate take care that it should be used only for engine purposes and cleaning purposes, for the present.

2651. But it is not brack at all?—No, it is not brack water.

2652. But your evidence in regard to boring seems to me to imply that considering what you have to spend on pumping there is very little saving as compared with taking a local supply from the Cape Districts Supply Company?—Yes, our experience has always been, not only in the Peninsula but also elsewhere, that pumping is expensive, and, if we could obtain a supply by gravitation, we should prefer bringing the water a considerable distance and securing it by gravitation rather than obtain it by pumping.

2653. With regard to these supplies which you obtain by pumping, would you be willing to let them lapse in favour of a general scheme if one were introduced?—Yes, that is to say a good scheme for our Department.

2654. Have you spent much money in obtaining a supply?—It is not considerable.

2655. You have really not committed yourself to very much?—No; and besides we could use the pumping engines for other purposes.

2656. In this return that has been furnished by your Department, I see that your annual consumption of water in 1897 was 52,604,000 gallons?—Yes.

2657. Whereas in 1901 it was 80,287,000 gallons—an increase of nearly 50 per cent. Can you tell me what that is due to?—The great increase of traffic since, and the general development of the railway working in the Peninsula.

2658. But you are still running the same lines in 1901 that you were running in 1897?—Yes; with the exception that we have quadrupled the line between Cape Town and Salt River, and that is one indication of the growth that I have referred to.

2659. Do you think it would go on increasing at that rate?—I think it is likely that the traffic will increase at that rate, but whether we shall continue to increase the use of water for locomotive purposes I could not say, because we are anticipating to possibly use electric traction for a portion of our railways in the Peninsula, and that will probably reduce our water consumption. But as against that I may mention that the Government have approved of the erection of a number of workmen's dwellings, and I hope that they will largely increase the number; if that is done then our water supply will not continue to increase in the same ratio I fancy.

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2660. Putting aside the erection of the dwellings, so far from increasing it, it would probably decrease ?—Some portion of the consumption would decrease but on the other hand if our traffic develops as I am looking forward to then that would make up in that direction for the decrease.

2661. Your supply comes to about 220,000 gallons per diem ?—Yes.

2662. And your main line to Malmesbury to about 175,000 gallons per diem ?—Yes.

2663. Do you think it would be safe for the Commission in forming an estimate of your requirements to increase that at all ?—I think it would be prudent for the Railway Department and, if I may say so, for the Commission, to assume that we shall require half a million gallons per day.

2664. That would be a safe working basis for us to go on ?—Yes.

2665. That is for what line ?—South of the Paarl including the branches.

2666. And how much of that would be for the Peninsula line, we will say as far as Durban Road ?—I should think it would be a safe estimate to put it down at 350,000 gallons per day as far as Durbau Road and 150,000 gallons beyond that. The Commission will understand that I am only giving these figures approximately.

2667. You have spoken of more than one supply. Would not that be very expensive ? Would it not be expensive from a public point of view, if not from your own point of view ? Would it not be better if the public took all their supply from one source ?—Not necessarily, because, assuming that you take a portion of your water supply from Caledon district, and assuming also that you are able to obtain a supply from the neighbourhood of Hopefield (Kalabas Kraal being one of the places I take it) of say 1,000,000 gallons, that is if the water is found good, that would mean for the larger scheme a lesser expenditure as the pipes would have to be laid from these different places to the main junction.

2668. Suppose we got water of ten or twelve million gallons from the Caledon district, of course that might supply all your stations down to Sir Lowry's Pass ?—Yes.

2669. Could you not take off some of that supply for your other stations along the Malmesbury and Paarl lines ?—Not very well; but assuming that you get all the supply from Caledon, it would not be right for the Peninsula water to bear the expenditure of assisting the Railway in its supply to either Malmesbury or the Paarl. That would become a Railway matter. The object I had in bringing before the Commission, other things being equal, was that it would serve to develop the country if you could obtain your supply from several sources to correspond with the various branches that serve Cape Town.

2670. Of course it is so nebulous at present that it is scarcely worth while to ask you, but, assuming that we got the water, you would be prepared to take a supply from the service line ?—If it could be economically done I would have no hesitation to recommend it to the Government.

2671. Have you any personal knowledge of suitable water supplies ?—We have been making a good many inquiries. Our inquiries have been directed in the direction of obtaining supplies in the various districts, and there are negotiations pending. I feel myself justified in saying that, supposing these negotiations were successfully concluded and we can come to satisfactory arrangements with the Water Department, that I do not think there would be any objection to place these various sources of water under a central authority, only we would have to safeguard the interest of the Railway.

2672. What amount would the respective sources of supply be ?—It is difficult to answer that now, because we have not had sufficient time to test the various sources in order to ascertain which would be worth while going on with.

2673. What is the minimum and maximum supply of these sources ?—In one case, three-quarter's of a million gallons a day.

2674. And the greatest supply you would be able to obtain ?—Which source do you mean ?

2675. All your sources —Considerably over one million gallons. We are only looking out for our own supply and possibly the Harbour Board.

2676. I understand that your final decision in that matter will really depend on what is undertaken upon the advice of this Commission ?—That is to say we have been moving rather slowly in the expectation that possibly some understanding might be come to.

2677. How long do you think you could delay your negotiations ?—I do not think we could delay our negotiations very long, but our position as regards the water supply is practically secured. That is with the quantity that is to be delivered to the Government under contract, together with what we can supply ourselves.

2678. In the course of your inquiries have you had anything to do with the Oliphant's Hoek and Steenbras River schemes?—I have purposely refrained from making any inquiries because I felt that there were other people looking after that water.

2679. To pass from water to drainage, your line is running right through the Peninsula. Can you tell us whether you have suffered any inconvenience on account of there being no proper drainage done by the local bodies?—Very much. The railway travels through the various Municipalities, and the slope of the ground seems to lend itself for making the railway, to a far greater extent than it ought to be, the depositing ground for undesirable matter, which either runs down or soaks down along the line.

2680. You have had to take action at law?—We had.

2681. To protect the interest of the travelling public?—Yes; and apart from those particular drains, which led to legal redress being sought, we have had to call attention to the very unsatisfactory state of things in that connection where the sewage drainage is allowed to come to the Railway Department so that a recurrence should be avoided.

2682. Do you then consider it a matter of urgency that there should be a drainage scheme for all the Urban areas of the Peninsula promptly carried out?—I think so undoubtedly.

2683. Do you think that the time has long past when it should have been done?—It ought to have been done years ago.

2684. Have you any knowledge of the matter of drainage?—I have not.

2685. In considering a drainage scheme for the Pensnsula would you advise a comprehensive scheme for all the authorities concerned?—My personal impression is with regard to drainage as in regard to other matters that it should be under one control.

2686. You are strongly of that opinion?—Very definitely.

2687. *Mr. Gurney.*] I think, Mr. Price, you said that if the Commission after taking evidence found itself in a position to consider this question of a water supply that any information which you might have would be at our disposal?—It will be entirely at your disposal.

2688. Have you experienced any difficulty in railway matters through there being so many different Municipal authorities in the suburbs?—Yes.

2689. Can you give us an illustration of the class of difficulty?—I might refer to the burning question of overhead bridges for instance. I think if we had one collective body to deal with that particular question instead of the several local authorities concerned, the outlook would be destinctly wider and would be an advantage to the public and all concerned. Similarly in the matter of drainage it is likely if we had one authority an understanding might have been come to long ago; and the same thing with the water supply. If the suburbs had been under one authority the Railway Department might have had a water supply which would have avoided the large charge of ten shillings made for water in Cape Town.

2690. From a railway point of view you would certainly be in favour of amalgamating the different Municipalities?—I should welcome such an amalgamation.

2691. Has the Railway Department very much to do with the Divisional Council?—Not very much.

2692. Have you any remarks to make in connection with the questions arising in that direction?—Nothing from a railway point of view. I could only give it from an individual point of view.

2693. In regard to electric light, the railway has now its own?—It has.

2694. And if a large comprehensive scheme of electric power were taken up in consequence of the action of this Commission, would it be practicable for the Railway Department to fall in with that, or would it be necessary for the Railway Department to be independent?—It would be essential for the Railway Department to have an independent supply for two reasons. First of all the lighting of the stations, which is a special matter for the Railway Department, and then the time may come when electric power would be used to a far greater extent than we are doing now. As a matter of fact we are considering the use of electric power to a larger extent than we are doing at present at the Salt River Workshops, and it would never do for us to be hampered in this respect.

2695. So that this Commission in considering the question of electric light should disregard the Railway requirements entirely?—If I may say so, should not only disregard them but advise that the Railway Department should be unhampered in its operations in that direction.

2696. Do you imply that it is hampered in any way now?—No, but why I mention it is because there are two Bills pending which are seeking power in this direction, and I have advised the Government to oppose them.

Mr. T. R. Price. 22nd April, 1902.

2697. *Mr. Stewart.*] In this statement of yours about the price paid for water, there is an item marked "Nil" in the case of bore-holes. Is that correct?—I think the only place is Rosebank where it is "Nil"; but it does not convey a correct impression.

2698. You have to pump from all these boring holes?—Yes.

2699. And the cost of pumping in the case of small supplies is rather considerable?—Yes.

2700. Have you any theory of how Cape Town comes to make this extraordinary charge of ten shillings per 1,000 gallons?—I understand that the reason which is given is to discourage the water supply such as ours being obtained from Cape Town.

2701. How long has it been in existence?—For many years.

2702. Probably it started in the old days when Cape Town was hard up for water?—It may be so, but I cannot say. I have no knowledge of it.

2703. Has the Railway Department ever applied to the Town Council with a view to entering into an agreement with them?—I have applied myself.

2704. How long ago?—Within the past year.

2705. Where you prepared to take a minimum quantity?—If the price asked for permitted us to do so.

2706. On the same conditions as the Districts Water Works Company?—Yes.

2707. Your daily consumption I notice is about 220,000 gallons?—Yes, but it becomes necessary for us to be assured of a supply of not less than 300,000 gallons per day, because the number of trains which run on certain days, such as on a Saturday, are a good many more than those running for instance on a Sunday.

2708. You have a maximum that exceeds this average?—Yes; considerably.

2709. Have you any idea of what proportion that quantity bears to the quantity consumed in Cape Town and Suburbs?—No.

2710. You admit it is not a very big proportion?—I am not able to speak as to what the Municipalities use.

2711. As a matter of fact the daily consumption at the present time of the whole is about 4½ million gallons, so that the 300,000 gallons is not a very big proportion of that?—No, it would not be.

2712. And in considering a scheme for a large supply of water from an outside source if sufficient provision were made for the increase to Municipalities, that quantity would for some years cover the ordinary requirements of the Railway Department?—Probably.

2713. Do you know Tulbagh Kloof?—Yes.

2714. If a large dam were constructed there for a reservoir would the Railway Department be prepared to assist?—We are at present arranging to deviate the Main Line there, which might possibly enable something of the kind being done in that direction.

2715. *Chairman.*] The maximum quantity that you would require would be larger than one million gallons?—I am not sure. I may say with regard to our water question I would be prepared to place all the information that I have at the disposal of the Chairman.

2716. *Mr. Lawrence.*] You say you think that the Railway should continue to supply its own electric power. Would the Railway combine with the Harbour Board in this matter?—We should be prepared to do so. At the present time we have been called upon to provide electric light to a number of authorities, such as the Military authorities and so on.

2717. *Dr. Gregory.*] In regard to these water supplies are they being dealt with by your own Departmental Engineer?—Yes.

2718. So that if we wanted anything from them, there would be no objecttion to their giving evidence?—None whatever.

2719. You have been asked about the Tulbagh Kloof. Do you know that place generally?—Yes.

2720. Would it not, in your opinion, be absolutely impracticable, because it would submerge a small village?—The subject has been in conversation in the Department, and the idea was that if the Tulbagh Kloof submerged such an area of land we would not undertake the work for railway purposes.

2721. *Mr. Stewart.*] It is not impracticable?—Except the extent of the area that would be put under water.

2722. *Dr. Gregory.*] It is impracticable from that point of view from the interests that would be submerged and the value of the land?—Well, I cannot speak with authority.

2723. *Chairman.*] Does recourse to that scheme imply the shifting of a village?—I have not sufficient engineering knowledge to offer an opinion.

Messrs. Hugh Donnan and David Walker further examined.

2724. *Chairman.*] With reference to the little red book which the Secretary, Mr. Walker, put in yesterday, and which I may say I read with a great deal of interest, I should like him to clear up one or two little points. On page 18 of the book you have given what you consider the borrowing powers of the Town Council to be; you say that they still have borrowing powers amounting to £108,813 7s. 10d., and you base that upon what is set forth in Section 162 of Act 45 of 1882 in terms of which the Municipality may borrow a sum not exceeding ten times their annual revenue. Now, I want to know what your view is upon this question, do you take it for granted that a Municipality has any other borrowing powers over and above what they borrow for waterworks in terms of the Act?—Yes that is my view.

2725. And then if the Municipality agreed that it owed £75,000 in respect of a water scheme at present, that would not affect its borrowing powers under the Act?—Quite so.

2726. I put the question because there has been debating as to whether that £75,000 is a liability or not, and you hold that it does not affect your borrowing power?—No, but in the event of the Municipalities going into the large drainage scheme that £75,000 would figure as a debit against the £108,000.

2727. And generally you think it is quite safe for a Municipality like Claremont to borrow up to ten times their last annual revenue?—Quite safe.

2728. You don't think there is a source of danger when there is no specific method of obtaining a true valuation?—No.

2729. You are practically at the discretion of the valuer?—Yes, and it all depends upon the rate that you levy.

2730. The rate is fixed, is it not?—Oh, no, you can go up to any amount with the consent of the ratepayers.

2731. The point that I want so bring out is this, that the rate is fixed by law, whereas the amount of your valuation is not fixed?—Yes, that is the point.

2732. And in that respect you are practically at the discretion of the valuer for the time being?—That is so.

2733. So that your powers of borrowing are also at the mercy of the valuer?—Yes, to that extent.

2734. *Mr. Gurney.*] In arguing that the £75,000 borrowed in connection with the Waterworks does not come as against borrowing powers under the Act of 1882, you are, I take it, relying upon the provisions of Section 21 of the Act of 1898, which says: "Nothing in this Act contained shall be taken to affect or interfere with the borrowing powers conferred upon Municipal Councils under the provisions of the Municipal Act, 1882"?—Quite so.

2735. *Mr. Stewart.*] Now, Mr. Donnan, you were giving us some information about Glasgow yesterday?—Yes.

2736. I should like you to state whether you consider that there is a large resemblance between the conditions at Glasgow and the conditions applying to the Liesbeek Valley?—Well, the conditions are hardly the same, but I am bound to point out that in the very early days Glasgow was a small place compared to what it is now.

2737. But are the conditions practically the same?—No, they are not the same.

2738. You refer to the septic tank system in particular? Do you mean the septic tank specially, or do you mean the bacteriological system without reference to any particular method of treatment?—I had in my mind the septic tank which is supplied to Exeter.

2739. You are not a bacteriologist?—No.

2740. And you are not a sanitary engineer?—No.

2741. *Dr. Anderson.*] These authorities you say had some ideas that there might be some objections to the outfall?—What authorities?

2742. The four Municipalities.—No.

2743. Was there no conversation or discussion that there might be objections raised to the proposed outfall?—No. That was not contemplated in this particular scheme, but I gave it simply as my own idea.

2744. Have you considered some other outfall?—The position was decided upon by Mr. Olive, I believe, and he went according to the various reports on the subject, the last of which was given by Mr. Good.

2745. Have you considered that an outfall might be provided which is not in the bay at all?—No, I don't think that such an outfall has been thought of. I don't know of any other.

2746. Where does the sewage for Cape Town go to?—I believe it has a sea outfall.

2747. Is it not into Table Bay?—Well, it is into the mouth of it I should say.

2748. It might be possible to connect your sewage with the Cape Town sewage?—I don't think that has been discussed.

2749. Then you mention certain matters with regard to the disposal of sewage at Glasgow, and also the septic tank system?—Yes.

2750. One of the great objections to all these systems of disposal of sewage is the difficulty of dealing with water in times of flood?—Yes, but in this system we do not contemplate to put storm water into the sewers, it is pure and simply for sewage.

2751. If you find it necessary to undertake any system a certain amount of storm water will go into it?—A very small amount from the yards of the different dwellings.

2752. So that there has been a difficulty in dealing with the water in times of flood?—Yes, in that way. The system I mention is one of sewage pure and simple, and in any method of treatment of sewage it is a more costly thing than to have a sea outfall, which is the cheapest.

2753. Is it not at times necessary to turn the sewage into the effluent channel? In times of flood, yes.

2754. *Chairman.*] You have been to Exeter?—No, I have been to Barrhead.

2755. At that place the same kind of works are in use as in Exeter?—Yes.

2756. That is Cameron's method?—Yes, and I was very much taken up with the working of it, as there is a total absence of bad smell, and it is very cheaply worked practically by one man, being so to say self-acting.

2757. And that provides sewage for 10,000 people?—Yes, besides a great deal of noxious material from manufacturing works go into it.

2758. And the Authority there raised no objection to that?—No. In fact it had been in force for about five years, and up to that time it had proved entirely satisfactory. Barrhead is some distance from the sea, situated on the river Cart which is a tributary of the Clyde, and the effluent runs into this river and is ultimately discharged into the Clyde.

2759. Your knowledge of Barrhead depends upon personal observation, and on what you were told by the Municipal Authorities there who control the place?—Yes.

2760. And so far as you learnt it gave satisfaction to those Authorities?—Yes, I spoke to one of the manufacturers who is a Sanitary Engineer there and who was an authority on the subject, and he said that the thing had given entire satisfaction.

2761. *Dr Gregory.*] In regard to this system, do they have any sludge to deal with?—Very little, the works are situated in a valley when they clean the different chambers and the sludge is deposited in the lower part of the valley which has been turned into a magnificent garden.

2762. How much ground do they use for the disposal of this sludge?—I am only speaking from memory, but I think the whole extent is not more than five acres.

2763. *Chairman.*] For ten thousand people?—Yes.

2764. *Dr. Gregory.*] But of course you will have to have special ground here for applying the sludge and you would not have that at Salt River Mouth?—I think the ground would be suitable. In the septic tank system the organism which takes place is of a kind to prevent its giving out any dangerous gas, or any stuff of that kind which is all absorbed by the action which takes place in the tanks.

2765. But you will have the sludge to dispose of?—Yes, a little.

2766. If I may refer for a moment to the arrangement made between your three Councils and the Woodstock Municipality in regard to this sewage scheme, you are each to carry out your own schemes so far as it applies to your own districts?—Yes.

2767. You have not resolved on your plans?—No, but there are plans which Mr. Olive considers will be sufficient to plot his scheme on.

2768. If that plan goes through, then you would have to discharge at a given point into the Woodstock sewer; has that point been fixed?—No, we have only got a flying survey, but the Engineers assure us that there is no difficulty as regards levels, and that practically the whole district can be dealt with.

2769. But still I don't see how an Engineer can start the plans unless he has got definite information as to where he has to discharge?—It is all agreed upon, but the exact point where we should join the trunk sewer has not been fixed definitely.

2770. So that the levels have not yet been fixed?—No, only approximately, but the details of the scheme have not been gone into yet.

2771. Your final level, where all these drains are to enter, is really fixed by the sea level?—That is so.

2772. Now, if at any point on that system you interpolated any bacteriological tanks, what would be the effect?—These tanks could be interpolated with a very small fall, say ten feet.

2773. But ten feet is a considerable difference of level in the outfall?—No, I I don't think so.

2774. Even five feet would be a considerable difference in the level of the outfall of the sewer?—I think the altitude of the various Municipalities is sufficient to provide for it.

2775. It is sufficient, but once you have started your scheme and run into the sea, how are you going to interpolate bacteriological beds afterwards?—I see no difficulty. Some method could be devised.

2776. *Chairman.*] But that is a point that should be raised before you start your work?—Yes, I think that should be urged, so that if at any time it were necessary to interpolate tanks, provision could then be made to meet such a contingency. It would be better if that point were decided first.

2777. *Dr. Gregory.*] I asked that question because yesterday you gave your evidence that you were going to discharge into Table Bay, and, if you found that it created a nuisance that the tanks would then be interpolated into the system?—I said if there were any bad effects from the system as proposed, another could be adopted whereby the sewage could be treated by the septic tank system whereby a purer effluent would enter the sea.

2778. But if bacterial beds are to be constructed afterwards then considerable modifications would have to be made?—Yes.

2779. The level of the outfall into the sea is a more or less fixed one, therefore if you provided for that modification being made would you not have to either run your sewers or a part of them at gradients which are not usual, or by some other means make provision for the alteration of level which the interpolation of the bacterial beds would involve?—Yes, I suppose so.

2780. *Mr. Laurence.*] You could not discharge into the Bay without the consent of the Harbour Board?—I believe the consent of the Harbour Board would be necessary.

2781. If they refuse you will have to consider the question of the septic tank?—I take it that they would have to prove that it would be a nuisance before they could refuse.

2782. *Mr. Stewart.*] Then, as a matter of fact the method of disposing of your sewage has really not been settled yet?—Yes, it has been settled; we have decided to have a sea outfall, and upon that we are all agreed.

2783. Is it settled that there should be an alternative in the scheme to provide for the treatment of the sewage by septic tanks or otherwise?—No.

2784. Did you say that the cost at Barrhead was very small?—Yes.

2785. So that if we went in for bacteriological tanks here the cost should not be very high either?—It would not be considerable; I think it would cost about double what it would cost in Scotland.

2786. *Chairman.*] You have taken a great deal of interest in these matters, now can you tell us what effect a low temperature has upon work of this description—frosty weather as compared to warm weather?—I raised the question when I was there, but was informed that there was no difficulty.

2787. Then you learnt that it was the same in cold as in warm weather?—Well, it changed.

2788. Possibly you have formed some opinion as to how this part of the Colony would be affected in that respect? Here you have a suitable temperature, and would it not be likely that the process would go on more rapidly from day to day than in a cold climate?—Yes.

2789. There is a difference in operations due to the climatic conditions?—Yes, the difference in the temperature here is not so great as at Home, and I think the process would be more regular here.

2790. Now that these questions have been raised, I presume that your Council will satisfy itself in the first instance that the sea outfall in Table Bay can be obtained, and that, in the second place, as an alternative, that provision is made for having some scheme of sewage disposal on land?—Yes.

2791. So that you will not finally sanction a scheme until you are satisfied on these points?—Yes, I may say that the scheme is just hinging on the sea outfall.

2792. And I understand from you that the same Engineer that has been employed at Woodstock is to be employed by you?—Yes.

2793. So that your drainage would be made to fit in with that of Woodstock?—Yes, we wish to avoid friction between Engineers.

2794. Have you any information on the point that Mowbray intends carrying out their drainage scheme, which is part of the general scheme by means of their own Engineer?—Yes, I believe so, as far as the internal sewer is concerned, not the trunk sewer.

2795. That would be made by Mr. Olive?—Yes, I think he will take charge of the trunk sewer from Claremont to the Bay.

2796. With regard to the question of streets and roads, we would like to ask you a few questions bearing on your relationship with the Divisional Council. You have had to borrow a good deal of money to make your streets?—Yes, a good deal.

2797. And has the Divisional Council to do with more than one road within your area?—Yes, with several; putting it into miles it comes to six and one-eighth miles. We have got the main road one and three-quarter miles, the main street, Newlands, one-quarter mile; Palmboom-road, half a mile (a divisional road); Paradise-road, half a mile; Oak Avenue, Newlands, half a mile; Protea-road, quarter mile; a portion of Lansdown-road, quarter mile; and Campground-road, one mile.

2798. That seems a very complicated business?—Yes, we have a good many difficulties, seeing that we have no jurisdiction over these roads.

2799. The main road given at one and three-quarter miles is the tram road which leads on to Simon's Town?—Yes, and your Newlands-street starts near Dean-street, and is called the Newlands Avenue?—No, it is a divisional road, and is a quarter mile long.

2800. I see in the Divisional Council return for 1901 they claim to have spent £342 10s. 11d. in respect of every mile of your six and one-eighth miles?—I estimate it at £241.

2801. But then they add £106 in respect of material?—I have not got that.

2802. At any rate it works out that they claim an expenditure of £342 10s. 11d. on each mile of road?—Yes.

2803. The Divisional Council, however, obtained from the Municipality of Claremont in 1901 £4,885?—Yes.

2804. And they spent at a rate, as I have said, of £342 10s. 11d. on each mile, so that they get from you nearly £3,000 more than they spent on your roads?—According to that return.

2805. For the current year they are rating you for £3,452, and they will spend probably about the same as before?—Yes.

2806. Now, can you tell me in what condition these roads are, which are maintained either altogether or in part by the Divisional Council as regards efficiency of maintenance or state of repair?—We have had frequently to call attention particularly to the main road, part of which is maintained by the Tramway Company and part by the Divisional Council, the result being that the whole road is not prepared at the same time, and consequently does not wear even.

2807. And you do nothing to it?—Nothing except watering.

2808. And who maintains the footpaths?—We do.

2809. And the Divisional Council maintains thirty feet of road between?—Yes.

2810. And is there friction?—Efficient supervision is not maintained, but I must say that they are very attentive to our requests, but if there were only one authority it would be more efficiently done.

2811. And you are in favour of abolishing the Divisional Council altogether?—No, I am in favour of reconstructing it, because if you abolish it you would require something to put into its place. If reconstructed, such a body might be entrusted with such matters as water, drainage and electric light. Mr. Walker has a scheme which he would like to lay before you.

2812. Would you rather see the Divisional Council supplanted by something in the nature of a Central Board of Works?—Exactly.

2813. Where will that Board come from?—Well, I should say that such a Board would be elected by the people; then there ought to be small councils or vestries whose duties it would be to look after purely local matters, and representatives from these vestries might come into the composition of the Board.

2814. Then you would have a system of indirect election from the small Board to the larger one?—Yes.

2815. And let the larger Board deal with light, drainage, water, rating, and the possession of the Tramway System, if municipalised?—Yes.

2816. That would leave very little for the Boards to do?—Such matters as passing of plans and seeing to small matters connected with drainage, sanitary matters, and so on.

2817. Do you think you would get proper men to become members of a small Board of that kind?—I think so.

2818. What qualifications would you insist upon?—The same qualification that now exists.

2819. And would there be a separate qualification for membership of the Central Board of Works?—No; the same.

2820. And would you have this one Board dealing with the whole Peninsula from Simon's Town to Green Point?—Yes.

2821. And would you give them rating powers?—Yes, absolutely. The small vestries should send in estimates to the Central Board as to what they will require, and upon those estimates the Central Board would levy their rates.

2822. And give the vestries a certain amount of money to spend, or should the vestries give the Central Board a certain amount of money to spend?—No; the Central Board should give the vestries a certain amount of money to spend.

2823. And you would give the Board power to rate for their own purposes and for the purposes of the vestry?—Yes.

2824. Do you think such a Central Board would work well, and can you give us an example of any Board constituted in the same way?—Well, they have similar facilities given at Home.

2825. In what part perhaps Mr. Walker will tell us?—What I thought might be done is to have one large Council for the whole Peninsula and besides have the Peninsula divided into districts, which districts should be entrusted with purely local affairs such as maintaining the roads and administering the Public Health Act, and the District Committees would be under the supervision of the Central Board. These District Committees would frame and submit their estimates to the larger Council, and if the larger Council approved of them, then rates would be levied accordingly by the larger or County Council, and the money paid from time to time to the District Committees upon requisition to the larger Council, detailing the purposes for which the money is required. That is what is done in the County Councils at Home.

2826. Have similar Boards in England the right to nominate members for the County Council?—Yes, what are styled Parish Councils, and members are nominated from them upon the District Committee.

2827. *Mr. Lawrence.*] But are they elected by the Council of the Parish?—No, by the ratepayers.

2828. *Chairman.*] That is the point that I want to get hold of, because Mr. Donnan said that the local municipal council should elect certain members to the larger Board, and that the ratepayers generally should elect certain other members to the larger Board. So that it seems to me you would have two classes, some elected by the rateyayers and others elected by the smaller Boards?—But under the scheme I propose, the councillors would originally all be elected by the ratepayers. The larger Council would be elected by the ratepayers, and so would the District Committee in the same way, the latter having a representation on the larger Council, but those are matters of detail which can be thought out afterwards. I think the larger body should control all the larger matters in the Municipality, such as water, drainage, electric light and, as Mr. Donnan said, the Tramway System, besides the question of protection against fire. That is what they practically do at Home, where they control all matters including the Police, road maintenance and public health, and other matters which would not be applicable to a County Council established here.

2829. Your plan is not to be confined specially to Claremont, it embraces Cape Town and all the others; and do you think the Corporation at Cape Town, with the Mayor at their head, would like to see a body over them which took their drainage, their lighting, and their water out of their hands, and put them into that of a Board, consisting of members drawn from differeut districts right away from Simonstown to Cape Town; don't you think that there would be a difficulty there of dealing with ratepayers who would see their business in the hands of such a Board instead of being able to control their own Municipal affairs with their Mayor at their head?—That is sentiment.

2830. But there is more than sentiment there?—Cape Town Council need not have all the local affairs taken out of their hands by the Central Board, only such matters as water, drainage, lighting, tramways, &c., but a scheme could be devised under County Council administration whereby Cape Town could retain its prestige of a City Council.

2831. These are practically the things for which a Municipality exists?—I should say it exists for the purpose of looking after the public health and local interests of the community.

2832. And water and drainage?—Yes, but there are a great many other minor matters connected with Local Government which could be detailed.

2833. And these District Committees that you speak of would be the same as the Field-cornetcies?—Yes, they might be so.

2834. And would you give them power to rate or raise money through the Central Board?—Everything should be done through the Central Board.

Messrs. *Hugh Donnan* and *David Walker.*

22nd April, 1902.

2835. Would you have a Council for each Field-cornetcy in the Cape Division?—You would require something of that kind.

2836. What would be your unit of administration outside of the Municipalities?—I have not thought that out.

2837. It would practically be a Field-cornetcy?—I have not thought it out, but I should think it would mean a little more than that in the outlying districts.

2838. What advantage would that have over a system which would combine all the Municipalities, say from Wynberg to Green Point, under a Board having powers to levy rates, &c., plus the maintenance of main roads and divisional roads within the Municipal area? Would you leave the management of all those matters in the hands of the larger Municipality?—The advantage of the larger or County Council scheme would be that it would provide for the future growth of the Peninsula.

2839. If all the existing Municipalities were amalgamated it would not mean a very large Municipality after all?—No.

2840. It would not be a large Municipality if you compare it with the Municipalities in England or Scotland, or America, or on the Continent of Europe?—No.

2841. Yes, but the difference is this, you would have this new Board controlling from Simonstown to Green Point, and dealing with water, drainage and electric light, and borrowing, I think?—Yes.

2842. And alongside of that you would have so many District Councils representing Wynberg, Claremont, Rondebosch, Mowbray, Woodstock, Cape Town and Sea Point, each looking after such matters as are not going over to the larger Board?—There would require to be a certain amount of amalgamation of those places for District Committee purposes.

2843. Now, what advantage would that give you over one large Municipality between Wynberg and Sea Point?—The advantage it would give, I think, is that the different localities would be better served for local purposes by the smaller Councils controlling convenient districts than by a huge Council controlling such a scattered area as that from Sea Point to Simonstown. The amalgamation of the Municipalities from Simonstown to Sea Point would, however, be a better system of Local Government than the present.

2844. Now, Mr. Donnan, were you present at a Conference which was attended by delegates from the different Municipalities?—No.

2845. But a resolution from that Conference came before your Council?—Yes, there was a resolution.

2846. Did you do anything in that matter?—No; I think the feeling of our Council was that the Divisional Council should be abolished, but I don't think a definite decision was come to in the matter; I am of course speaking only from memory. The position is this, there are so many things that we have in common, and we find a difficulty in consulting one another for the purpose of passing certain resolutions which are necessary, as we cannot act independently, and the interests of the Municipality and your Divisional Council overlap, so that often a lot of time is wasted, because certain of the Municipalities decide upon a certain line of action, and another does not agree, and so the thing is thrown to the wind; all that would be done away with if there were a Central Board to deal with all these questions.

2847. May I ask if your Council has considered the advisability of initiating such a Central Board as you have detailed?—No, there has been no resolution, it is merely my own opinion.

2848. *Dr. Gregory.*] Is it shared by a large number of the Councils?—Yes.

2849. *Chairman.*] There is a general feeling that an amalgamation of interests is required without committing yourselves to any particular plan of doing it?—Yes, that is so.

2850. *Dr. Gregory.*] Mr. Walker mentioned that the Board should look after such matters as water, lighting, drainage, Tramway systems, if acquired, and fire extinction, and under the smaller Councils public health and roads, now first of all with regard to public health, why should you consider that a local matter?—I did not quite finish my statement, my idea was that the larger Board should appoint a Medical Officer to supervise the whole of the District, and he would have such Officers as Sanitary Inspectors under his control. Those Inspectors to be appointed by the District Committees.

2851. Then it would be under the main authority?—Yes.

2852. And it would be administered by the Officer of the Main Authority?—Yes.

2853. So that you delegate your authority to the Medical Officer?—Yes.

2854. Therefore public health has to be added to that list?—Yes, but it would be as well to have some local administration.

2855. Why do you put roads under the smaller bodies; are you not now suffering from the effects of these roads being cut up by so many bodies that the power of action in dealing with them is not sufficient?—To a certain extent. I had in my mind the formation of an area or district as before stated.

2856. Why could not the Main Authority look after roads as well as the smaller bodies?—There is no reason why the Main Authority should not appoint a Chief Engineer to superintend all the roads in the Peninsula.

2857. So that practically that could come into the list of amalgamation?—Yes, but they would require a certain amount of local or district supervision.

2858. I am coming to that, but there is no reason why that should not work provided the interest of the local areas have an assurance that they will be looked after?—Quite so.

2859. Then there is the passing of building plans?—Yes.

2860. Does not that strike you as a matter that should be done on a definite basis, and controlled by the Main Authority?—There is no reason why the Main Authority should not frame regulations to enforce a uniform system for the whole Peninsula.

2861. Why should not their building officers examine these plans and pass them?—They could, but these are details.

2862. But they involve great points in regard to architectural and sanitary fitness of buildings, which is a matter that requires to be looked after, and there is no reason why it should not be done by the Main Authority through their officers?—I quite agree that the larger body should have regulations to guard against that, but I may say if you had one man to superintend the whole of the District from Sea Point to Simonstown you would find that the erection of buildings would not be properly supervised, and consequently they would be erected contrary to plans in many instances. It is the matter of proper supervision which is of importance.

2863. That is a matter of administration?—Yes.

2864. And if the larger body could administer lighting, water and drainage, they could also administer building regulations?—Yes, but I think that the supervision would be better carried out if delegated to the District Committee so far as the area which is governed is concerned.

2865. Then there is one other matter and that is the general carrying out of the Municipal Regulations; would it not be better to have prosecutions carried out under one main authority?—Yes.

2866. Now, I think you have nothing left for your local bodies, everything is done by the Main Board?—Yes, practically all the important matters are dealt with by the Main Board, but still there is a certain amount of local supervision which it is necessary to carry out to ensure the wants of the district being attended to.

2867. Is not that merely another way of expressing the necessity for protecting the interest of the small areas as against the combined interest? To insure that the Main Authority exercises proper supervision over all these districts alike?—That is practically what it comes to.

2868. Cannot that be arrived at by your system of representation on the main body?—Yes. I may state that I only gave an outline of what I thought would be a good system of Local Government as compared with the present system. Any combination would be better than the large number of small Municipalities existing at present, that is an undoubted fact.

2869. Really then the factor that you wanted to arrange for is proper representation, so that all the areas are properly represented on this body and have a sufficient voice?—Quite so, including the whole area, urban and rural.

2870. If the smaller bodies were inaugurated they would have to maintain a separate staff, and that would mean much greater expense than if things were maintained by the larger Board?—Yes, very probably.

2871. They would each require building inspectors, engineers, surveyors, road inspectors and so on?—No, you would not want an engineer and surveyor for each district, but you would want a road inspector and building inspector.

2872. It could be far better and more economically arranged under one head authority, could it not?—Yes, as far as local government is concerned, under one head.

2873. So that I take it that it is your opinion that there should be one Local Authority for all these Municipal areas?—That is what it comes to.

2874. But every portion of this area should be properly represented on the Central Board?—In such a manner that local interests are protected.

2875. And if that could be done you think the thing would work properly?—I see no reason why it should not.

2876. You have given us some sort of idea of your representation on this Board, but as things now stand that would not hold good under this new scheme?—Yes, if

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such a scheme were adopted such scheme would require to be amended to some extent, and it would do away with having District Committees. The representatives of the various areas would not be elected in the same manner as say in Cape Town, where it is all one body. There should be what might be termed Electoral Divisions, and a member or members of the large Council proposed should be elected by that division instead of a certain number of members elected for the whole area from Sea Point to Simonstown without representing any particular district.

2877. Would you be in favour of any Government Nominees on such a Board?—No.

2878. You have compared the amount paid in rates to the Divisional Council and the amount spent by the Divisional Council in your District?—Yes.

2879. So that they spent less than they raised in your district?—Yes, very much less.

2880. Do you not consider that the Municipalities have some advantage from the roads outside their areas in the more rural portions of the district?—No, I don't think so.

2881. But these roads are mainly for traffic to and from the Urban areas?—(*Mr. Donnan*): True, but the traffic is so little, and, if the rateable values were adjusted, and put on a proper basis I think the amount that is required for the various roads would be met in the outlying districts. Of course this large scheme that we have mapped out, the large governing body would take in a very large area so that a good many of these rural roads would be taken in, and would be maintained under the sway of the larger Board. I may point out as a little comparison: the expenditure by the Divisional Council on the sixth and one-eighth miles of roads was £241 per mile as against the maintainance of our Municipal roads, which amounts to twenty-one miles, and works out at £88 10s. per mile, there is a considerable difference, and I venture to say that the Municipal roads have been fairly well maintained.

2882. *Chairman.*] Do you hold that your roads on which you spent £88 10s. are just as well kept as those on which the Divisional Council spent £343 10s. 11d. per mile?—Yes.

2883. *Dr. Gregory.*] But there is a great expense in keeping up Main Roads in comparison with Bye Roads?—Yes, but apart from the amount I maintain that the roads that the Divisional Council keep up are on all fours with the roads that are maintained by the Municipal Council, because the Main Roads are partly maintained by the Tramway Company, so that there is a set off of about half.

2884. You think you could maintain this six miles of road better and cheaper yourselves than the Divisional Council do it for you?—Yes, we have our Officers there on the spot, and our supervision will be more efficient. With regard to the larger scheme I might say that if there were more supervision the work would be more efficiently and more cheaply done.

2885. That is you should have areas apportioned to different Officers?—Yes.

2886. So that it would be quite sufficient for you to have the area apportioned in that way?—Yes, that is so.

2887. But under the scheme you mention a certain amount of contribution would have to be paid to the rural roads by the Urban areas because the Main Board will see to them?—Yes.

2888. But now supposing you only abolish the Town Council so far as Urban areas are concerned, don't you think you should still contribute to the rural roads?—No, that should be purely a Goverement affair, and I don't think the Municipality should contribute. These outlying Districts benefit by the Municipal roads in the same way as the urban districts may benefit by the rural roads.

2889. In fact the extra Municipal properties should be taxed by a higher rate so as to meet all their requirements and they should not come back on you?—Yes.

2890. *Mr. Gurney.*] Do you consider that the interest of the inhabitants of Claremont in regard to the Tramway Company are properly protected by the Municipal body?—There are difficulties, we have practically no jurisdiction over the Tramway Company; they run over the Main Road which is under the Divisional Council, so that if there is any complaint in regard to the Tramway management, we cannot deal with them direct, but have to go to the Divisional Council.

2891. And the same applies to the other Municipalities?—Yes.

2892. That is, although the Tramway passes through the Municipality, you have nothing to say to it?—Yes.

2893. *Mr. De Villiers.*] If you had to maintain all these roads instead of the Divisional Council, it would come out of your present rates?—I think we could maintain it with a considerably less rate than what the Divisional Council put on; the increase in our own rates would be very little more.

2894. But could you do it out of your present power of rating, or would you have to get a larger rating power?—No, to our present rating power we would probably have to add one farthing or even less.

2895. *Dr. Gregory.*] The Divisional Council rate is three farthings is it not?—This year it is $\frac{5}{8}$ of a penny.

2896. *Chairman.*] Last year it was a penny?—Yes.

2897. *Mr. Stewart.*] What position did the Claremont Municipality take up when the Tramway Bill was before Parliament?—I don't know, I was not a member of the Council then although I know that there was some opposition taken to the Tramway, but that was purely by the ratepayers, and there was some action taken by the Council with regard to footpaths and width of road. The Council insisted upon thirty feet of road, and upon so much for side paths. That we enforced in conjunction with the Divisional Council.

2898. You don't know what stand the Municipality took up before the Select Committee on the Tramway Bill?—I could not say.

2899. *Dr. Anderson.*] To what do you ascribe the difference in the respective amounts which your Municipality and the Divisional Council pay for the maintenance of roads?—Want of proper supervision.

2900. Are you in favour of Tramways being put under a public body?—Yes.

2901. And rather that they should be run for the benefit of the public instead of the shareholders?—Yes.

2902. *Mr. Dyer.*] Does the Public Works Department exercise any control over the construction and maintenance of Divisional roads?—I don't know, I believe so.

2903. It would be possible for the Public Works Department to have entire control of the roads?—Yes, outside the Municipal limits, I think.

2904. You think that would be a great saving?—Yes.

2905. *Mr. Lawrence.*] I would like to know from Mr. Walker whether in dealing with matters some distance from the centre in your Municipality, Municipal Committees are not appointed?—Yes.

2906. Supposing that a Central Board was appointed to deal with the whole of the Peninsula, could not the different districts be dealt with in the same way?—Yes, my idea of having a District Committee was to have it on the spot so that it could control everything in a sort of limited area.

2907. And they would deal with small matters?—Yes.

2908. And the larger matters would be dealt with by the Central Board?—Yes.

2909. And that would be a great advantage to the people living in the Peninsula as a whole?—Yes.

2910. And it ought to be administered much more cheaply?—Yes.

2911. And you would get more efficiency?—Yes.

2912. You have had some experience of County Councils at Home?—Yes.

2913. Are they elected by the ratepayers?—Yes.

2914. And they have District Committees?—Yes, the counties are divided into districts, but of course the area is larger there than the Cape Peninsula.

2915. What authority have you in these District Committees?—They are entrusted under the Act with administration of public health matters, maintenance of roads and sanitary matters generally.

2916. You cannot say whether they have a Health Officer in each of these districts?—They have the power to appoint a Health Officer subject to the approval of the County Council.

2917. And then do they have a staff to deal with the roads?—Yes, separate Engineer.

2918. I take it, Mr. Donnan, that the cost of Divisional Council roads is caused by the great distance of the field of operation from the centre, and that the going backwards and forwards means extra expense?—Yes.

2919. Then there is another matter with regard to rating, Mr. Walker; you said that the wards would be rated and that the District Committee would prepare an estimate of all requirements, and would send that to the Central Board, who would then levy the rate; now, would you have a different rate for each district?—Yes.

2920. You would not have a uniform rate?—No.

2921. Each district according to its requirements?—Yes.

2922. Or rather according to the estimates furnished by the District Committee?—Yes, I think that would be much fairer.

2923. Would you not have the difficulty that now exists with all Municipalities, and the ratepayers would cry out that they are not equally dealt with, as, for instance, Mowbray is paying now 4d., and you are paying 2½d., and others are paying 2d., and so on; would it not be better to have a uniform rate levied by the Central Board?—No, I don't think so.

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2924. Is there not a probability that one district would have a considerable amount of work done and in another district very little, owing to the class of Councillors elected?—No, if they were under the control of one Central Board it would be the duty of that Board to see that the requirements of each district were attended to.

2925. You mean of course that the rate is to be spent in the District where it is levied?—Yes, undoubtedly.

2926. *Chairman.*] But that would be only in regard to the work by the Local Committee?—Yes.

2927. Then your larger Board would have power to rate in respect of drainage, light and maintainance of roads?—Yes, for the whole area under control of the larger Board.

2928. I think Mr. Donnan suggested that the extra Municipal roads might be handed over to the Public Works Department?—Yes.

2929. Would that mean that Government would have to find another source of revenue somewhere or another?—I am only speaking of roads outside the jurisdiction of this large Central Board, and I take it that the Board of Works would rate in certain Districts. The Government would maintain the roads through the Public Works Department—and anything within the jurisdiction of this Central Board would be administered by them.

2930. Mr. Walker's idea was that the whole of the Cape Division should be mapped out into districts like Field-cornetcies, but then we came upon the idea that the Public Works Department should maintain the road, and I want to know how things would fit in if the Public Works Department had to maintain the roads outside the Municipality?—Field-cornetcies would have to be established and their rates would be according to the requirements, but the main body would have jurisdiction over these and the Public Works Department would be excluded from having anything to do with the rates at all.

2931. Then the whole area of the Cape Division would be covered?—Yes.

2932. And there would he nothing for the Public Works Department to do in it?—No.

2933. Now in Claremont, has the Divisional Council any local establishment?—No.

2934. Where is the plant kept?—They have stables in Wynberg, but not very far from their seat of operations.

2935. So that there is not much loss of time in bringing the men to the work?—No, the difficulty is want of proper supervision.

2936. You have one station in Wynberg, where is the nearest one to that?—I think somewhere about Mowbray.

2937. *Mr. Gurney.*] Is there not also one at Plumstead?—I think so.

2938. *Dr. Gregory.*] Do I understand, Mr. Walker, that you would have one rate for local purposes and another for general purposes of the Central Board?—Yes, I think so, if you require a rate for electric light or any other similar matter entirely under the control of the larger Council, you would want a general rate and besides that a rate for purely local affairs.

2939. That the main area does not benefit in?—Yes.

2940. If that principle is carried out your general Municipal Act, providing for special rates for certain parts of your area, would apply?—Yes, to a certain extent it would.

2941. And it is a well recognised principle of Local Government that a rate may only be levied for certain areas?—Yes, like they do in the County Councils at Home.

2942. But your main rates would practically be the general rates—sewage and water?—Yes, and the Public Health Rate might be a general Rate.

2943. On this principle?—Yes.

2944. Otherwise you would have no difficulty, but if you had an underestimate, you would have to levy fresh rates?—Yes, or make provision in the following year's estimate.

2945. *Chairman.*] Then the matter of the indebtedness of the various Municipalities could be arranged for, so that the charge in respect of each Municipality's indebtedness could remain a charge upon the inhabitants within that area?—Yes.

2946. There is no difficulty in that way?—No, that is what the County Councils did when they took over from the local authorities existing prior to the passing of the Local Government Act. I would like to mention that there should be one auditor for the whole of the Peninsula.

2947. *Mr. Lawrence.*] You mean he should be appointed by the Government?—Yes.

2948. *Chairman.*] And a general valuer?—Yes, also to be appointed by the Government. He should not be appointed by the Municipalities.

2940. Do you know what the system in New Zealand is?—No.

2950. They have a Valuer General appointed, and he has several officers under him?—That would be the proper thing.

2951. As a practical man you see a danger in connection with the existing method of valuations?—Yes.

2952. *Dr. Gregory.*] Would you do away with the Valuation Courts?—Oh no, the ratepayers must have a means of appeal.

2953. So that ultimately the Board will be the final appeal?—Yes, undoubtedly.

2954. *Mr. Gurney.*] When you spoke of the appointment of an auditor by the Government, you mean that the Auditor-General for the Colony should undertake the auditing of the accounts?—Yes.

2955. *Chairman.*] In the matter of lighting, have you anything to say to the Commission? Are you satisfied with your present arrangement?—I may say that there is at present a Committee at work in regard to that matter.

2956. You are supplied by some Company, the same as Mowbray?—Yes.

2957. Have you any complaints with reference to the quality of the electric light?—Yes, it is inadequate, but they are augmenting their plant, and promise that when that is completed there would be a sufficient supply; they are also erecting a new power station in Claremont.

2958. Have you an agreement with them? Did you give them a concession?—Yes.

2959. How long has that concession to run?—Thirty years from now.

2960. They have practically a monopoly of electric light within your area for the next thirty years?—That is one of the points that we are debating just now; there is a difference of opinion as to whether the Company could claim that, and an inquiry is being instituted.

2961. That is the same Company that supplied from Mowbray to Wynberg inclusive?—Yes.

2962. And are you all under the same conditions?—No, it is not uniform, and that is what our Councils have been driving at to try and get a uniform tariff.

2963. And then is it in any way suggested that it should be municipalised?—Yes, but we have had a report from the Government expert and he is of opinion that it would not pay Claremont to take it over.

2964. How would the combination of the four Municipalities result in that respect?—I think it would be a good thing.

2965. It would be possible in such an event to supply the light cheaper?—Yes, the report of the Government expert tended that way.

2966. *Dr. Gregory.*] He made no objections as regards the distance the power has to be transmitted?—No, that was really the practical point, but it was not dealt with.

2967. *Chairman.*] Gas is coming your way?—Yes, we have been approached by the Gas Company, and I believe they are laying their mains to Wynberg.

2968. Are you prevented from using gas?—No.

2969. You must take a minimum supply of light from the Company, and could you get any other supply above that?—For electric light we cannot go elsewhere.

2970. Is that by Parliamentary enactment or contract?—By contract.

2971. So that if we want information on this subject, we would have to get a copy of this contract?—Yes, I have it here and will put it in. [Contract put in.]

2972. *Mr. De Villiers.*] Is there any contract with regard to the supply of electric light to private houses?—Yes, there is a contract; it is in the concession.

2973. There is no agreement about talking over the plant after the agreement should end?—Yes, there is an agreement, we could take it over after the lapse of ten years, and I believe the time of the first ten years will be up on the 1st November next.

2974. *Chairman.*] It is open for revision then?—Yes.

2975. Have you any wash-houses?—We have one wash-house.

2976. Do you permit the washing of clothes within the Municipal area?—No, it is against the regulations.

2977. Do you carry that out with some effectiveness?—Yes.

2978. And that wash-house is supplied with water from the Water Works Company?—Yes.

2979. Where is that wash house situated?—Near the depositing ground on the 23 acres of which I spoke yesterday.

2980. Where does the water run to?—We have filtering beds of coke where it is distributed.

2981. And eventually?—It soaks into the ground and disappears.

2982. And do you repair those beds?—Yes, we change the coke frequently.

2983. How often?—About once in three months.

2984. Is that to prevent bad smells?—It is to take the soapy and fatty matter which is produced out of the water.

2985. There is no disagreeable smell about these places?—Well, I don't think that there is.

2986. What is your charge?—2d. an hour with a maximum of 6d. per day per tub which includes water.

2987. Do you supply hot water?—No, cold water.

2988. You have no means for heating?—No, we have no artificial means for heating, but of course there is a natural drying place.

2989. And that wash-house is near to where you dump down the refuse?—Yes, it is on a portion of the 23 acres.

2990. Was that land acquired by purchase?—Yes, we paid about £600 for it.

2991. Is it on a low level; or on an average level with the rest of your area?—It is on an average level.

2992. Is it suitable for the septic tank system?—No, because you require an outfall for the effluent, and there is no outfall there unless you put it into the tributary of the Liesbeek River.

2993. Would you have to pump?—No, I think it is fairly adapted as a wash-house ground.

2994. In the neighbourhood is there other land that could be bought if you should desire to increase it?—No.

2995. Where would the natural drainage of that go to?—Into the Black River, and ultimately into the Liesbeek.

2996. *Dr. Gregory.*] Your wash-house is on the border of the Municipality?—Near to it.

2997. And just over the border Rondebosch has a small wash-house?—Yes,

2998. And these two wash-houses are practically identical?—I don't know, they are not near to each other at all, now that I think of it; Rondebosch and Mowbray have their wash-houses close together, but ours is a good distance away.

2999. And yours is not near Wynberg?—No.

3000. *Dr. Anderson.*] Have you got a Contagious Diseases Hospital in Claremont?—No, but we have been trying to get one up in conjunction with Wynberg. There are difficulties, and we have not as yet arrived at any satisfactory conclusion.

3001. Have you any slaughter-houses?—No, none within our limits.

3002. *Chairman.*] Where is the slaughtering generally done?—Outside the limits of the Municipality. We have had great difficulty with that, it is carried on just over the boundary, over which we have no control.

3003. In whose area?—In that of the Divisional Council.

3004. Is there any other matter you would like to bring to the notice of the Commission?—With regard to the population I am now in a position to supply the information asked for yesterday; out of our number of householders of 2,650, 1,573 are Europeans, and there are 1,077 coloured, of whom one-third of the latter are registered voters.

WEDNESDAY, 23RD APRIL, 1902.

Present :

Hon. Sir BISSET BERRY (*Chairman*).

Dr. A. J. GREGORY.	Mr. W. E. GURNEY.
Dr. A. J. ANDERSON.	Mr. T. STEWART.
Mr. LAWRENCE.	Mr. T. N. DYER.
Mr. J. E. R. DE VILLIERS.	

Mr. Robert Starke (member of the Cape Divisional Council) and *Mr. Henry van der Westhuizen* (Secretary to the Divisional Council) were examined.

Messrs. *Robert Starke* and *Henry Van der Westhuizen.*

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3005. *Chairman.*] You, Mr. Starke, have been deputed by the Divisional Council to give evidence before this Commission on behalf of the Council?—Mr. Councillor Hare and I were deputed by the Council, and I expect Mr. Hare will be here presently.

3006. And Mr. Van der Westhuizen, you are here to give any assistance which might be required from you?—Yes, I have been specially asked by the Commission to give evidence.

3007. The Divisional Council of the Cape consists of 14 members?—Yes.

3008. And outside the Cape Town area the Cape Division is divided into eight Districts?—Yes.

3309. Each District returning one member?—Yes.

3010. Could you tell the Commission in what way these Municipalities in the suburbs are grouped in these Districts?—By Field-cornetcies.

3011. Yes, but do you combine any of the suburban Municipalities into one Field-cornetcy?—No; there is one for Woodstock, with certain portions of Maitland, I think, and I am not certain whether certain portions of Rondebosch are not included also; one member for Mowbray, one member for Claremont, one member for Wynberg, one member for Simonstown, and one member for Muizenberg and Kalk Bay and outlying districts.

3012. No, but first of all give me the area between Wynberg and Cape Town, how many would you have in that?—Four, I think.

3013. So that four members out of the eight district members represent the Suburbs?—Yes, the boundary division is between Wynberg and Muizenberg.

3014. Woodstock has one member for itself?—Well, I cannot say now; there are certain portions of Woodstock, I think, which fall into Mowbray, and I think certain portions of Maitland also, but I am not sure how they are divided. At any rate the division is by Field-cornetcies.

3015. How has that arrangement been come to?—It was come to years ago, before these Municipalities were in existence.

3016. And they have never been altered since?—No.

3017. I think you have accounted for five members so far, now will you tell us about the other three?—There is one member for Downs No. 1 and Tigersberg and Riet River; and I represent Blauwberg, Durbanville and Koeberg.

3018. Then practically it comes to this: that six members represent Cape Town, five members represent the small Municipalities, and three represent the rural District?—No, six members represent the smaller Municipalities, including Simonstown. I might say that Simonstown is a Municipality, and each representative has a small portion outside the Municipalities also; and the rural areas are represented by two members.

3019. Who generally form the Divisional Council, townsmen or gentlemen residing in rural Districts?—Mostly townsmen.

3020. I presume you reside in a rural district?—Yes, I think I am the only one residing outside the Municipalities.

3021. What part of the Division is that?—Koeberg No. 1.

3022. Can you explain how it comes about that you have not more rural members on this Council?—Because I suppose the suburban population outvotes them. It would be useless for an outside man to stand for these Districts, as he would have no chance whatever in the suburbs.

3023. Still there is one other representative for a rural district besides yourself?—Yes, Mr. Langerman represents the other rural district; he lives at Sea Point, but owns property outside and represents one portion.

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3024. And the other gentlemen?—There is Mr. Hugo, who represents Simons-Town, but he is put in by the Municipality.

3024 (a). *Mr. Lawrence.*] And Muizenberg?—That is about the same as Simons-Town; Muizenberg and Kalk Bay are represented by Mr. Runciman.

3025. *Chairman.*] How often does the Divisional Council meet?—They have their ordinary meetings once a month.

3026. Did they have twelve meetings last year?—Yes.

3027. Where do they meet?—In their office in Greenmarket Square, in Cape Town.

3028. Can you tell me the number of voters that are on your roll?—For the whole?

3029. Yes.—No, I have not gone into that.

[*From this stage Mr. van der Westhuizen answered most of the Questions.*]

3030. Perhaps the Secretary will be able to tell us?—I have not got the figures here, but the voters' list will show.

3031. Can you supply us with a copy of the figures distinguishing the number of voters who have the right as ratepayers from those coming under the £75 qualification?—Yes.

3032. And the Commission would also like to have the number who possess the Councillor's qualification—the £500 qualification?—That could be supplied.

3033. How often is that roll of voters made up?—Every three years.

3034. How is it set about?—We have men who go about and make it up; tenders are called for and the successful tenderers are supposed to go about and collect the information.

3035. You invite tenders, and those tenderers go about and make up the roll?—Yes.

3036. Is it fairly accurate?—Yes, the roll is fairly accurate; I think there are very few omissions, and very few are put on who ought not to be on. I am, of course, speaking for outside areas; as for the town and suburbs, I could not speak.

3037. What does your staff of the Divisional Council consist of?—There is a Secretary, Assistant Secretary and four clerks; six in all.

3038. And what other officers are attached to it?—An Engineer, two Sub-Inspectors and Road Overseers and Gangers.

3039. Have you an Inspector-in-Chief?—The Engineer is really the Inspector-in-Chief.

3040. Can you give us some idea of the value of the plant you have in working?—I have a statement here.

3041. Could you put that in?—Yes. [Document put in.] [*Appendix.*]

3042. Can you tell us how the plant is paid for?—Out of revenue.

3043. You don't borrow money for it?—No.

3044. Could you tell us the stations in the Division where plant is kept?—Yes; at Victoria Road on the Sea Point side, Hout Bay, Observatory Road, Rondebosch, Wynberg, Muizenberg and Elsjes Bay, that is for the suburbs. Then at the 4th Mile and 8th Mile on the Maitland Road, and also at Durban Road; besides those, plant is kept at two stations on the Malmesbury Road.

3045. Under whose supervision are they?—Under the supervision of the overseer of the gang, who is responsible for the welfare of the plant.

3046. From whom does he take his orders?—From the Engineer.

3047. From whom does the Engineer take his orders?—From the Divisional Council.

3048. He is supposed to carry out the given orders from time to time?—Yes.

3049. Is any work done by contract?—Occasionally, but not very much in recent years.

3050. Your work is chiefly done by your own staff?—Yes, except the building of bridges, which is given out by public contract.

3051. You have a steam crusher?—Yes.

3052. More than one?—Yes, two.

3053. Where are they placed?—At Elsjes Bay, near to where we have our quarry.

3054. Are they stationary?—No, they are portable, but stationed there.

3055. So that all the macadam that is crushed there is distributed over the line by your own plant?—No, by rail.

3056. What is the reason that they are stationed at that place particularly?—It is on account of the material; they are placed where we can get the best material.

3057. You are acquainted with the return which was put in by the Divisional Council?—Yes.

3058. Will you kindly just look near the top on the right side of the return where you will find the number of miles given within each of the Municipalities for which you are responsible?—Yes.

3059. Now at the extreme right hand column you show the average cost per mile per annum?—Yes.

3060. Now will you explain to me how it came that you give the average cost of roads per mile at £589 19s. 8d. for Rondebosch, and in Claremont at £342 10s. 11d. Why is there that difference of about £260?—Well the only explanation is that during that particular period we used more macadam in the Rondebosch area.

3061. That is an exceptional case for that year?—Yes.

3062. It would not be the normal condition of affairs?—Well we have got the principal branch road in Rondebosch upon which macadam has been extensively used. These roads are used to a very great extent now, owing to the diversion of traffic from the main road since the Tramway came.

3063. Still you divide the whole cost of the macadam equally, don't you?—No, the equal division would only be as far as wages are concerned.

3064. These items are simply worked out in accordance with your figures, and are not based on actual results by experience of working?—It is impossible to get an absolutely accurate result, because in the first instance the wages have to be distributed over the various Municipalities, so that you must divide it between the Municipalities. It would be impossible to send a lot of macadam to one Municipality and charge a certain wage to that particular Municipality in respect of it, and therefore the wages are simply divided equally between all the Municipalities, although, of course, strictly speaking, one Municipality might be entitled to a larger share.

3065. Well, then, it is simply an office appropriation and it is not based on the work actually done?—Yes, that is so.

3066. Now then, let us proceed to the figures given for the make-up of the roads outside the Municipalities?—Yes.

3067. I have just drawn your attention to the cost within Municipalities as varying very much?—Yes.

3068. But you give the cost per mile outside the Municipality at one figure, viz: £92 2s. 8d.?—That is right.

3069. Why is that uniform? Is that also an office apportionment?—Yes, but then the figures are more nearly accurate, as we can deal better with the roads outside the Municipal areas.

3070. But that is purely an office arrangement too?—That is so, but the figures are more or less correct.

3071. Now, under the heading of the Municipalities of Cape Town and Green Point, there are no figures shown as regards expenditure?—It is because we maintain no roads in Cape Town.

3072. Why?—Because Cape Town maintains the roads itself.

3073. Why does Cape Town maintain the roads and not any of the other Municipalities?—That is specially provided for under the Act.

3074. Which Act?—Under the Divisional Council Act No. 40 of 1889.

3075. What clause?—I could not quote the clause, but it is so. There is a special arrangement by which a portion of the rates levied for Divisional road purposes is refunded to Cape Town in consideration of the maintenance of a road from Woodstock to Strand-street.

3076. Only for maintaining the road in that portion?—No: in the whole of Cape Town. I might make it clear by way of illustration. Suppose we levy £1,000, and we divide it, Cape Town getting half, then half of the Divisional Council's share, amounting to £250, would go back to Cape Town in consideration of the maintenance of these roads.

3077. With reference to Green and Sea Point, does the same arrangement obtain there? No provision is made for Sea Point at all I see in the figures. Why is that?—Because we maintain no road there. We have no Divisional road in Sea Point, but in consideration of Sea Point maintaining all the roads, it has been the custom for the Divisional Council, with the sanction of His Excellency the Governor, to pay them a certain sum annually. We have been paying them £250 for some years, and now for about three or four years we have paid £500 per annum; and further application has been made by the Council to His Excellency the Governor for his sanction to pay them £1,000 in consideration of the increase of rates.

3078. So that you spend nothing in consideration of the rates which you get from Sea Point amounting to £3,000?—Nothing beyond the £500 which we pay them.

3079. Is there any reason why some such arrangement should not be come to with the other Municipalities?—Well, there is not exactly a reason why that should

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not be done, but I am afraid they would want too big a contribution; in fact they would like to get it all, but I may say that the Divisional Council maintains roads within the areas of all the suburban Municipalities.

3080. Now, take Claremont. You show there that it costs you £342 10s. 11d. per mile within that Municipal area, and you levy that rate per mile from the ratepayers of Claremont. Now, if they say that they can maintain the roads better than you maintain them for something less than £100 per mile, don't you agree that they would have a grievance?—True, but they have had an opportunity of taking over the roads and of maintaining them.

3081. When?—On two separate occasions that I can remember.

3082. When was that?—About two years ago when the various Suburban Municipalities had a Conference in Cape Town with the Divisional Council, but then they would come to no arrangement at all. And just now we have had another Conference with the various Municipalities on the same subject, and practically with the same result.

3083. Can you give me a copy of the Minutes of the Conference which was held two years ago?—No, but I could get one, I think.

3084. Such an arrangement could not be come to without legislation?—I don't know.

3085. What was the reason of their failing to come to an agreement?—I think the majority were against it. Some of them were prepared to take over the roads and maintain them, but then they would not undertake to contribute anything towards the upkeep of the country roads, that is to say, roads outside the Municipal area like the roads on the Flats and at Koeberg and so on.

3086. But at the last Conference, did not they come to a unanimous resolution to take over the Divisional roads within their own area, besides paying a contribution to roads outside their area?—There was a resolution, but that was not carried by an unanimous vote.

3087. I will read to you the resolution.—Are those the resolutions which were arrived at by the Divisional Council or the Conference?

3088. The copy that I have here is taken from your own office, "Divisional Council Office, Greenmarket Square," and the Conference was held on the 15th and 19th December, 1901, and on the 23rd January, 1902?—But they were not unanimous.

3089. I will read to you the resolution as follows:—"That it is in our opinion desirable and necessary that measures be adopted for conferring upon the Municipal authorities of Cape Town, Woodstock, Maitland, Durbanville, Mowbray, Rondebosch, Claremont, Wynberg, Kalk Bay, Simonstown, Green and Sea Point, all the powers and duties in regard to roads at present existing and situate within the respective Municipal areas, and vested in the Divisional Council of the Cape, provided the various Municipalities are willing to contribute towards the upkeep of roads outside the Municipal areas, subject to special consideration being given to Kalk Bay, Simonstown, Maitland, and Durbanville." Carried unanimously?—Yes, but the Municipalities don't agree to that.

3090. This is a resolution arrived at by a Conference between the Divisional Council and Municipal delegates, and it was held in Cape Town?—I will explain: This resolution was referred back to the Municipalities for consideration, and they would not agree to it. And——

3091. But allow me to point out that the resolution was carried unanimously?—I think I can explain that, Mr. Chairman: The Conference was between the Divisional Council and delegates from the Municipalities; the resolution was agreed to, but these delegates made it distinctly understood that they would have to carry the resolution back to their Councils for consideration, and that it would be within the power of the Councils to reject the proposals if they chose to do so, and the Councils did so reject them.

3092. Not in every case?—I believe Mowbray was agreeable, but the majority of them declined to accept the resolution. I am under the impression that Claremont was also agreeable.

3093. At all events it is clear that the Conference was unanimous on that point?—Oh yes.

3094. And that the delegates sent by the various Municipalities were in favour of some arrangement of this kind?—Yes.

3095. What am I to understand is the opinion of the Divisional Council on that point?—They have come to no resolution on the subject; they decided exactly as it is expressed in the resolution, that is to say, the Municipalities are to take over the Divisional Roads within their areas, maintain them, and give a contribution towards the upkeep of roads outside the Municipal area.

3096. The Divisional Council is favourable to that ?—Yes.

3097. On the same basis as herein mentioned, that is to say, by percentage ?—Yes.

3098. Would you give me an explanation of the method by which this was arrived at ?—Supposing the rateable value——

3099. I would put it to you this way : The Divisional Council would ascertain in the first instance the cost of the annual upkeep of the extra Municipal roads and they would deduct from that the amount of revenue derived from the extra Municipal area ?—Yes.

3100. Then suppose that £10,000 is the amount arrived at after making that deduction, that sum would be divided amongst the various Municipalities in accordance with the ratio which that sum bears to the total Municipal valuation. The percentage in the one case would be the same as the percentage in the other. Suppose Cape Town has a percentage of 60 per cent. of the total valuation, then Cape Town would have to pay 60 per cent. of the £10,000 ; and if Mowbray had 10 per cent. of the total valuation, then Mowbray would pay 10 per cent. of the £10,000. That was the explanation which was given to us the other day ?—I don't think that was the intention of the Divisional Council at all. The idea was this ; that they would make up their estimates for the year for the upkeep of the country roads ; and suppose, we will say, that the estimate required comes to £10,000, and that the rates on the country properties only yield £2,000, then the Council would come for the balance of £8,000 to the Municipalities—from Cape Town to Simonstown—according to the rateable value. If Cape Town has a value of ten times that of all the other Municipalities, then Cape Town would pay ten times as much as the others.

3101. Perhaps I have not made myself clear, but that is exactly the position ; perhaps you did not follow me when I spoke of extra Municipal roads which you would call outside roads ?—Yes, that is so, and then we agree.

3102. Then there is another point; has the Divisional Council come to any decision upon how that money would be raised within the Municipal areas as far as the Municipalities themselves are concerned ?—Yes ; but they merely want their contribution.

3103. And they would be content if they got that contribution from the Municipalities ?—Yes.

3104. And they would forego their rating power and leave the Municipalities to raise the money as best they can ?—Yes.

3105. How do you get the Divisional Council valuation effected ?—It is generally done by calling for tenders in terms of the Divisional Council Act, and invariably the lowest tender is accepted without any regard to the qualifications of the valuator. That has been my experience at any rate.

3106. Is that a satisfactory arrangement ?—Very unsatisfactory.

3107. Does that give an explanation of how it is that properties in the same areas are so often very differently valued for Divisional Council and Municipal purposes respectively ?—That has a lot to do with it undoubtedly, because invariably one finds that one man gets one district or two or three according to his tender. A third man gets another district and so on. One man may get, we will say, Cape Town and Woodstock ; the second man would get Claremont, Rondebosch and Mowbray ; the third man may get Wynberg and Constantia. Each one has his own method of valuation, and I think that accounts for the discrepancies.

3108. Have you anything to suggest as an amendment in this direction ?—I have repeatedly brought it to the notice of the Council and I may say to the notice of the Government—at any rate I have often spoken to Government Officials—that men should be permanently appointed as between the Divisional Council and the various Municipalities and paid by these bodies conjointly. If a man is permanently appointed he gets a far better insight into the value of the properties as well as a thorough knowledge of the properties themselves. At present the man goes to value his districts and he sees a bit of land of which he cannot find the owner, and it is put down to somebody who does not own it, and really as a matter of fact in that way a good many ratepayers go free, whilst others have to pay their rates.

3109. This question of the valuation of property is becoming a serious concern ?—Yes.

3110. It is becoming a very great matter in this respect ; that public bodies now are authorised to raise money in accordance with the amount of their year's revenue which is based on the valuation of their property ?—Yes.

3111. So that the tendency for public bodies would be to get their valuation as high as possible, particularly when they require to raise certain loans ?—Yes, that is so.

3112. Do you know what has been the effect in the Colony of New Zealand where a similar state of things existed ?—No.

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3113. The effect there was that Parliament was compelled to appoint a Valuer-General whose duty it would be to approve of valuers in the districts and towns?—That plan would be as good, if not better, than the one I suggested.

3114. Then the difference in the valuation in your Council and the Municipal Council's is accounted for sometimes by the fact that the areas are valued by different men?—Yes, undoubtedly.

3115. For instance, Rondebosch in your literature would not correspond with Rondebosch in the Municipal literature?—No.

3116. Have you any particular method of collecting your rates? Do you send men round?—No; we send circulars stating when the rates are payable, and these circulars are repeated when the rates have become overdue. After that, we charge interest at the rate of 6 per cent., from the due date of the rates to the day of payment, and then after a certain time has elapsed we hand the rates over to the Agent of the Council for collection.

3117. Can you give the Commission any idea of the percentage of the loss that the Divisional Council sustains in the collection of rates?—Well it has been more heavy within the last three or four years; perhaps five years I should say. I think it amounts to about 20 per cent. in some cases, and that is accounted for by the valuator who values the property bringing up spurious names, spurious properties, and spurious everything else. The owners could not be found by the valuator and he puts it down to some one to whom it does not belong, and if that man is called upon for the rates he disputes it. We have no end of trouble in this direction.

3118. Do I understand you to say that you have lost as much as 20 per cent. in the recent years?—Yes.

3119. *Mr. Lawrence.*] Is that on the total amount?—Yes.

3120. *Chairman.*] You mean in some years?—Yes.

3121. You don't perhaps mean in some locality?—No, in some years.

3122. That would be diffused over the whole area?—Yes.

3123. In one of the returns that I have come across I find that on the 30th June, 1900, you put down your yearly outstanding rates at £6,634, and I think in the following year they are put down at £5,558. Is this £5,558 included in the £6,634?—Part of it would be included.

3124. Then I understand from you, Mr. Van Westhuizen, that the Divisional Council would be agreeable to meet the suburban Municipalities so far as to withdraw from their areas altogether on condition that they keep up the main roads and branch roads within their areas and make a contribution towards the upkeep of the outside roads?—Yes.

3125. The only objection that they would be inclined to raise to that would be that the Divisional Council systematically values the outside property too low, and what would be your reply to that?—There would be something in that, but the evil has been remedied to a very considerable extent through the last valuation, when two men got the valuation right through, and I think it was pretty fairly done as far as country properties are concerned.

3126. And the further allegation by the suburban Municipalities would be that if the Municipalities were not obliged to give this contribution towards the upkeep of the outside roads, the valuation of the outside property could be levelled up without any unfairness to the owners, to the extent that would enable the rate to be levied on it sufficient to keep up the roads?—That is a moral impossibility.

3127. You think it would be impossible to level up the valuation on the outside properties to that extent?—Absolutely impossible.

3128. Then would you say that it is the view of the Divisional Council that any proposal in that direction which the suburban Municipalities might make must be based upon a contribution from them towards the upkeep of the outside roads?—Undoubtedly.

3129. You have no loan?—None whatever.

3130. Do you agree with all that the Secretary has stated, Mr. Starke?—Yes.

3131. *Dr. Gregory.*] Have the valuators to make a sworn declaration?—Yes.

3132. Then according to your evidence the declaration of these valuers must have been incorrect?—Oh, no, the declaration is there, and the valuer cannot undertake his work before he has signed the declaration.

3133. Quite so; but your valuators supplied you with a list of valuations of properties which did not exist?—Certainly, either the properties did not exist or the owners could not be found.

3134. Then the declaration of that valuation to the effect that it is a correct one in respect of those properties must have been wrong?—No, he does not make a declaration that it will be absolutely correct, but that he will value the properties "to

the best of his ability." He does not say that he is going to bring in a correct list. He merely declares that he will do it "to the best of his ability."

3135. Then would it not have been possible for you to proceed against the valuator for making a false declaration?—They can always plead ignorance, as they generally do.

3136. Then the declaration is of no practical value?—Absolutely of no value whatever; in fact, it might not exist at all.

3137. *Mr. Gurney.*] You spoke of a loss of 20 per cent. in rates owing largely to the improper modes of valuation?—Yes.

3138. If such rates had never been due, owing to the non-existence of the properties, they would not represent a loss; but it would mean that your expectations were not realised?—Exactly.

3139. They are not a loss in the same way as a defalcation is a loss?—No.

3140. And simply mean that the expectation was not realised?—Yes.

3141. But the 20 per cent. does not seem to tally with the return which has been prepared for the Commission by the Controller and Auditor-General, shewing receipts and expenditure of the Divisional Council for the last five years, and showing the valuation of the property rated and the rate levied. In 1896-97, a penny rate on the amount of property, the value of which is stated at £7,650,133, would give the sum of £31,790. You received £29,851, and there is a difference between the receipts and the rate levied of £1,940?—Yes.

3142. And you show £4,850 as outstanding?—Yes.

3143. So apparently there is no writing off for that year?—No there is no writing off. I may state that I am speaking from memory but if you will go back 8 or 9 years you will find that the rates written off as irrecoverable in the district would only be about £100 or £200; and within the last four or five years, it has been as much as £4,000, ranging from £1,600 to that amount. And I am quite sure that within the last 3 years they would amount at least to about £3,000 or £4,000.

3144. That would be something nearer 10 per cent. than 20 per cent.?—Yes; that would be about 10 per cent.; I was only giving the figures roughly from memory when I said 20 per cent.

3145. And those figures stated just now do not represent an actual loss, only a disappointment?—It is a loss to the ratepayer who has to pay his rates, because if land exists of which you cannot find the owner somebody else pays his rates.

3146. But you said spurious land by which I take it that you mean land that did not exist?—Perhaps I should not have used the word "spurious." What I mean is that the valuation is done in a very haphazard kind of a way. We find that the valuator in the interim valuation piles it up as much as possible because with the general valuation he is paid for it at a low figure. For instance for the last interim valuation I believe the valuator got as much as one-fourth more than at the general valuation.

3147. Do you mean he is paid that?—Yes.

3148. You are implying that he is careless in the first place in order to have plenty of work left for the interim?—No; in the first instance he perhaps sees a bit of land adjoining some person's property and he simply puts it down to such a person, and he is not particular, because at a general valuation he gets a lump sum; but at the interim valuation he brings up every bit of property that he possibly can whether the owners are correct or otherwise.

3149. Would the Divisional Council accept as a valuator a man who before had done that sort of thing, would they take him on again?—They have done it in spite of repeated protests that I have made. I have spoken to members of the Council about it, but they say that on principle the lowest tender must be accepted, absolutely regardless of the qualification of the man.

[Mr. Starke here stated that he did not agree with Mr. Van der Westhuizen in this respect inasmuch as that principle was not followed the last time.]

3150. Is not reference made to the transfers registered in the Deeds Office?—Very rarely indeed.

3151. And is none made by the officers of the Council?—Oh yes; we keep as correct a record there as we possibly can.

3152. So that in that way you endeavour to check the valuation?—Yes, we endeavour to do that.

3153. In the return which the Controller and Auditor-General has had prepared for this Commission, for the last five years the total expenditure is given as £179,000 as against receipts of £198,000, the latter nearly £20,000 more. The expenditure is made up in this way: £134,950 has been spent on roads, £26,307 on salaries of officers, expenses of valuation, payments to Councillors, interest and other payments; £16,730 has been handed over to the Town Council, the Village Management Board

of Maitland and Durbanville and the Sea Point Municipality ; and £1,450 has been spent on the Public Health Act.

3154. Thus, out of the £179,000, only £134,000 has been spent on roads. These are the figures given to us by the Controller and Auditor-General ; now does not the amount of £134,000 include a great many other items such as salaries ?—It would be an argument whether it does.

3155. And does it not also include profits to contractors ?—No, we do not now have any work done by contracts except the building of bridges ; nothing else is done by contract.

3156. And during the five years ?—I don't remember any work at all ; the amount may perhaps include the salaries of a few Inspectors.

3157. So that the £134,000, barring that it includes the salaries of a few inspectors is absolute expenditure on the roads themselves ?—Absolutely. It would, of course, include plant such as the carts and horses and the feeding of the horses, and so on.

3158. You have promised to supply the Commission with a return showing the rolling-stock and plant of the Divisional Council ?—Yes, and also the voters' roll.

3159. You have a building in which you hold your office ?—Yes.

3160. You purchased that in the year 1899 ?—Yes, and we own other properties as well.

3161. Those will be included in this return ?—Oh, yes.

3162. As a matter of fact the building was purchased out of money specially approved by His Excellency the Governor ?—Yes.

3163. And has proved a profitable investment ?—Yes.

3164. And it was paid for out of rates ?—Yes, out of one year's rates.

3165. Can you explain to us the following : In your financial statement for the year ending 30th June, 1901, your revenue receipts are given at £58,000, and your expenditure amounted to £37,000, some £20,000 in excess ?—For the year 1901 ?

3166. For the year 1900-01, up to the 30th June ?—No, I don't know. I could not exactly say.

3167. Does it not appear from that that either the rate has been excessive or that the roads have not been properly maintained ?—Possibly items were included in the estimates for the year's expenditure which were not carried out.

3168. *Chairman.*] What was your rate for that year ?—I think one penny.

3169. *Mr. Gurney.*] Your valuation increased that year by one million ?—Yes.

3170. Your rate was increased by one farthing ?—Yes.

3171. And your expenditure was one thousand pounds more than the previous year ?—Yes, but I think we went on for about fifteen months before the next rate was levied.

3172. You had apparently assessed the rate very considerably in excess of your demands ?—There must have been a flaw in the estimates which were submitted ; there were perhaps items included which were never carried out. We are not bound to levy a rate every twelve months, and we could go on a little longer if we had a surplus.

3173. But you would not make the public pay the sum of £20,000 in advance ?—It may be that the expenditure came out less on account of our not using as much macadam as we expected to use. That is a very heavy item of expenditure.

3174. *Chairman.*] Were you not at that time contemplating the abolition of the tolls ?—Yes.

3175. To free the people from toll charges ?—Yes, I think it was in contemplation at that time.

3176. And you might have levied an extra rate in order to make up the revenue which you expected to lose by the abolition of the tolls ?—I think that the reason was that we could not get sufficient trucks for our work, and we had to reduce the output of macadam ; there may be other reasons, but that would be the greatest amount.

3177. *Mr. Gurney.*] The statement of liabilities which has been submitted to the Commission by the Controller and Auditor-General you would regard as being a document that you would have handed to the Chairman ?—Yes.

3178. In it you show horses, mules, carts, wagons, rollers, and so on, at a value of £6,018 10s. 0d. ; buildings, toll-houses, roads, stations, &c., £6,555 ; office and requisites, Greenmarket Square, £6,500. These are all your assets except outstanding rates and any small outstanding debts ?—Yes, these are our permanent assets.

3179. That £19,000 has been paid out of rates ?—Yes.

3180. And on the 30th June, 1901, you held in addition a cash balance of nearly £20,000 ?—Yes.

3181. So that you had well protected yourselves against the ratepayers ?—Very well, yes.

3182. You are aware that the Public Works Department has held that in regard to the Divisional Councils generally main roads would be much better looked after if

they were done by the Government than by the Divisional Council?—I am not aware that that was their opinion.

3183. Are the main roads well maintained?—Yes, far better than they were by the Government at the time the Government had them.

3184. Are you speaking of the main roads through the Municipalities as well as outside?—Yes, of all the main roads.

3185. Do you consider that the arrangement with the Tramway Company is one which interferes with the ordinary user of the road?—I don't know.

3186. Do you consider that the road over which the Company runs their trams is fairly well maintained?—Yes.

3187. Not as good as before the tram came?—It is not in as good a condition now as it was before the tram came.

3188. Do you think that the men you possess in the matter of making and maintaining roads are likely to be equal to those whom the Public Works Department could supply?—Certainly.

3189. You have thoroughly competent and efficient men?—Yes.

3190. Is there not only one engineer to look after 148 miles of roads?—Yes, but he has two sub-inspectors under him who are competent and well qualified in road making.

3191. Can you give us any idea of how often he would personally go over all these roads?—At least once a month.

3192. When a Select Committee of the Legislative Council on Divisional Councils sat in December, 1898, they called for various returns of members of the Divisional Council, and various answers to questions. They also asked a number of your Councillors and some who were not Councillors for their opinion as to suggestions with reference to the proper management of main and divisional roads?—Do you remember the answers that were given then?—No, I never saw them.

3193. Would it surprise you, then, perhaps to find that a great many were in favour of the Government taking over the main roads, as they would be very much better done?—They might be better done in other Divisions, but they could not be better done in the Cape Division.

3194. You were personally asked for your opinion, Mr. Starke?—No, I was not called upon to answer that question, I am positive of that.

3195. I have your answer printed here?—Well, then I would deny that.

3196. You were asked your opinion whether if the roads were taken over by the Municipalities within their areas you would suggest a plan for gathering in revenue; and you then expressed the opinion (at least, according to the final publication of the Select Committee) that the whole system was bad, that the toll should be abolished and that a wheel tax would be better?—I was never asked that.

3197. You must have filled in a return?—No, I have never filled in any return.

3198. Well, a Mr. Starke did according to this record?—Oh, yes, I recollect now, I did answer that question.

3199. Well now, have you formed any different idea or larger idea on the question of a wheel tax?—I am sound on that still.

3200. Have you gone sufficiently into the question as to what sort of a wheel tax it should be? Would you make any allowance for a wider wheel?—Well, an allowance should be made for a wide wheel, but, on the other hand, an increased rate should be put on a rough wheel.

3201. But a wide wheel would mean a heavy load?—Yes, but it does not cut into the road so much.

3202. You have given it careful attention?—Yes.

3203. And you are strongly in favour of a wheel tax?—Yes.

3204. Would you apply that only outside the Municipal boundaries; that is, assuming that the Municipalities take over the maintenance of the roads within their areas?—I would not be against that, but I think it really ought to be general.

3205. Do you think a sufficient fund for the up-keep of the roads could be derived from a wheel-tax annually?—No.

3205 (a). *Chairman.*] I suppose you would say that a wheel tax is a sort of farmers' tax?—Well, there are a good many people who keep carriages merely for pleasure, and I do not see why they should not contribute something towards the up-keep of the roads.

3206. Would it not be a difficult tax to collect?—Not very difficult; it would have to be by registration.

3207. And would you tax bicycles?—I think they ought to be taxed, because I see that the bicycle-riders make a good deal of noise when the roads are not in good order.

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3208. And the traction engine ?—Those would be the rough wheel that I have spoken of.

3209. An extra tax on them ?—Yes, they do a lot of damage.

3210. You appear to be firmly opposed to the Divisional Council giving up its powers to the Government ?—I am, certainly; I don't say that our District would suffer if we did, but I think that there are many districts in the country that would be justly entitled to the same consideration as the Cape Division; for instance, there is a vast difference between the amount of use a road is put to by a sheep farmer as compared to an agricultural farmer; the one will perhaps only convey a few loads per annum over the roads, whereas the other would convey hundreds of loads, and if all the roads are to be made by the Government and justice done generally, then I think it would entail a heavy burden upon the Treasury of the Colony.

3211. It would mean a very heavy expenditure for the Government ?—Yes, and I don't think the country would be able to bear it.

3212. *Mr. de Villiers.*] Do you think that the operations of the Divisional Council are likely to extend outside Municipal areas by the construction of more roads ?—Yes, I may say that even in the district where I have been living for the last twenty years I have myself spent for the upkeep of roads pretty nearly a shilling in the pound. There are miles of roads that we have to do ourselves.

3213. Are there many more to be built as the country develops ?—In my own district I think one road would be required; there are no others of any magnitude that I can think of.

3214. Have you a map shewing all the roads and all the Field-cornetcies in the Cape Division ?—Yes.

3215. Can you let us have a copy of it ?—It is in the Divisional Council Office, but I don't know whether a copy can be supplied. You have not got more than one map ?—I don't think so.

3216. *Dr. Anderson.*] I see that the expenditure in 1900-01 was £1,200 under the Public Health Act, what is that for ?—Typhoid Fever, Plague, and so on.

3217. Is there any Infectious Diseases Hospital under the control of the Divisional Council ?—No, but we contribute towards the upkeep of Rentzkie's Farm.

3218. You have not levied any special rate for such purposes ?—No, never.

3219. Have you any Sanitary Inspectors ?—We had six at the time of the Plague and we have two now.

3220. You have a number of slaughter-houses within the Division which are not included in the Municipality ?—Yes.

3221. And are those slaughter-houses inspected ?—Yes, we did have them inspected, but we have found that any steps we have taken are of no avail, as we have no power to touch the people.

3222. You have no men who inspect the animals before they are slaughtered ?—No, we have no power.

3223. But the Sanitary Inspector would have the power under the Public Health Act ?—No, whatever we have done has been bounce; we have no power.

3224. You have just stated that you are contributing to the upkeep of Rentzkie's farm, but as a matter of fact have you done so ?—They will get their first cheque from us this week.

3225. But the agreement has not been ratified ?—Oh yes, I had a letter to that effect from the Under Colonial Secretary last week.

3226. *Mr. Dyer.*] How often is the valuation made ?—The quinquennial valuation is made every five years, and the interim valuation is made every year.

3227. Can you give us any idea of the cost of that ?—The general valuations have cost up to £900, and the interim valuations up to £1,200.

3228. Is it a fact that the Public Works Department exercises supervision over your roads ?—Yes, the main roads.

3229. And if anything is wrong, I suppose you are called upon to make the necessary alteration ?—Yes.

3230. So that it would not cost much more if they had the control of your roads entirely ?—Yes; it has been proved that the Divisional Council kept the roads for nearly half the cost which it amounted to when they had the Central Road Board; this came out when the Commission sat.

3231. *Mr. Lawrence.*] Does the Government contribute to the cost of new roads in the Division ?—They construct and we take them over.

3232. After they are made ?—Yes, that is by agreement between the Cape Divisional Council and the Government.

3233. Is the Divisional Council the Local Authority for the Cape Division under the Public Health Act ?—Well, the Public Health Act is so mixed up that you don't know who the Local Authority is, or who is not.

3234. Supposing there is an outbreak of typhoid fever or plague in a rural area, what would happen?—We would step in and do the best we can.

3235. What would you do?—We would notify to the Medical Officer of Health, and send out men—we have two good men—to see that the necessary precautions are taken.

3236. You have a Health Officer for the Division?—No.

3237. I suppose in the case of an outbreak of infectious disease you would engage a medical man as Health Officer?—Yes, and we have two Sanitary Inspectors at the present moment.

3238. What do they do?—They patrol the district; we have gangs of Kafirs at Camp's Bay, Constantia, Hout Bay, and so on, and they have to visit these places, see that they are kept clean, and report any cases of illness.

3239. Are they constantly in the employ of the Council?—Not constantly; we had six at the time of the outbreak of the plague, and at that time the Government used to contribute to the payment of these inspectors, and they wrote and told us that we might dispense with their services, but afterwards we discovered the state of things which existed at Camp's Bay and Constantia, and it was thought advisable to engage them again.

3240. So that from time to time you engage them as necessity arises?—Yes.

3241. Some time ago there was an outbreak of typhoid fever in the Constantia area?—Yes, a very serious one.

3242. Did you take action?—Yes, we had the district patrolled and had things generally attended to.

3243. *Chairman.*] With regard to the question of rates; you say that the uncollected amounts to something like ten per cent.?—Yes, that is about it.

3244. Is it not a fact that before a property can be transferred the Divisional Council rates have to be paid?—Yes, that is so.

3245. So that eventually you do recover this ten per cent.?—No, the major portion we never recover, and I will give you reasons; for instance, a man comes to pass transfer of a bit of land; he gives us all the information required by the Act, and we find that we cannot trace the land, and under those circumstances he gets what is called a "Non-traceable" certificate upon which the Government passes transfer.

3246. The only remedy that you can suggest as a method of valuing property is the permanent appointment of valuators by the Government or jointly by the Local Bodies?—Yes.

3247. Now, some correspondence was referred to us in connection with the unsightly and insanitary state of buildings erected at Retreat, in the neighbourhood of Tokai, and I see amongst that correspondence a letter from your Office. Do you know anything about the matter?—Yes, I personally went round there to inspect the place.

3248. And you say that the Divisional Council have no power, and that you would require power to deal with these matters?—Yes.

3249. I believe the matter was brought to the notice of the Divisional Council by your Engineer, who, I understand, had reported the matter to someone?—I believe that a member of the Council brought it to their notice first.

3250. There is also a letter from the Colonial Office on this subject, forwarding a letter from your Office. The Engineer wrote the letter to your Council, I presume?—No, he reported to our Council.

3251. The letter has reference to the erection of unsightly buildings at Retreat. Where is Retreat?—Just the other side of Plumstead.

3252. Then there is a letter from the Superintendent of the Tokai Convict Station, and another letter from the Divisional Council to the Colonial Secretary's Office urging the introduction of legislation with a view to giving the Divisional Council proper power. Is that matter still standing where it did?—Yes, we have referred the question to our Solicitors for legal opinion, which we have not got yet.

3253. Then it is a moot point whether you have power or not?—Very doubtful indeed.

3254. Will you furnish us with a copy of the case submitted to Counsel as well as Counsel's opinion when received by you?—Yes.

3255. And if necessary we could recall you and get further information with regard to that matter?—Yes; I might say that I have got a list here giving the details of these buildings down there.

3256. You could put that in later on?—Yes.

3257. *Dr. Gregory.*] Your Council is nominally in charge of the Public Health of the whole division outside the Municipal areas, is it not?—Yes, nominally.

3258. But as a matter of fact it has no powers whatever under any Act of Parlia-

ment except in connection with the suppression of infectious diseases?—That is, I believe, the case.

3259. And you have, for instance in this Constantia area, instituted proceedings for the pollution of water particularly by the washing of clothes?—One case only.

3260. And the proceedings have been dismissed by the Magistrate on account of your having no power?—No, the court dismissed the case and cautioned the woman, but we were afterwards politely told that we were not to bring any case like that into court again.

3261. As a matter of fact all through your district immediately outside the areas of the Municipal boundaries all kinds of sanitary transgressions are going on?—Yes.

3262. All sorts of habitations are being built which are overcrowded with no sanitary accommodation; water is being polluted and drunk, and in fact they are committing almost every sanitary misdemeanour and you have no power?—No, we have no power, all we have done so far has been by bounce.

3263. Would you advise that some Municipal areas should be altered so as to include these areas with sanitary defects, as, for instance, would you say that Constantia area should be included in the Municipality of Wynberg?—That would be a very good thing, but I don't think it could be done.

3264. Why not?—The same old thing, I suppose, that people don't like to pay Municipal taxes.

3265. *Mr. Lawrence.*] And more freedom too?—Yes, the Constantia people would never put up with it.

3266. *Dr. Gregory.*] You are of opinion that whatever body is the Local Authority controlling the rural area of your division it should be possessed of proper sanitary powers?—Yes, all through the district.

3267. And it is a matter of urgency that it should be done?—Yes, certainly, and if it is not done quickly, the whole Cape Flats will be in a disgraceful state. I just noticed the other day a man putting up an iron building which I suppose is intended to be permanent, without any sanitary accommodation whatever.

3268. Your powers that you would get would not be retrospective, and therefore these defects might continue for years to come?—The Act should at any rate be so worded that the Divisional Council would have full power to enforce proper sanitary arrangements. Buildings are erected along the roads without proper sanitation, and it will be found very difficult to control these places, in some cases almost impossible.

3269. The same thing has occurred within Cape Town owing to sanitary neglect years ago?—Yes.

3270. Especially in regard to private roads and streets; is that within your knowledge?—I have no intimate knowledge, but I have heard of it. The same thing exists in some parts outside already.

3271. In the event of the Divisional Council having proper powers for dealing with sanitary matters in the rural areas you would appoint, I presume, a Medical Officer of Health?—I am certain that would be done, and the thing would work properly then. We find at present that the steps we are taking amount to a waste of money, because we have no power.

3272. I believe the Divisional Council have at all times earnestly tried what they could do under the Act?—Absolutely so.

3273. You say Government constructs the new roads, and then you take them over?—Yes.

3274. Under what agreement was that?—I cannot quote the letter now; it was an agreement arrived at some eight or nine years ago, when the question of the construction of the Cape Flats' roads came forward; the Government then asked the Divisional Council in how far they would be prepared to make these roads and the Divisional Council replied that if the Government constructed these roads, the Council would take them over.

3275. And they are constructed out of Government funds?—Yes.

3275 (a). And do you always take over roads from the Government?—Yes, as soon as they are properly completed.

3276. There was a difficulty about taking over that most necessary road across the Flats to Mowbray?—You mean from the Camp Ground?

3277. Yes.—Well, it is because that road has not been made. The old road was a divisional road, but the Government closed it across Valkenberg Asylum, and as people could not come across there from Maitland that part of the road fell into a state of disrepair and the same thing happened at Rapenberg.

3278. Did not the Divisional Council throw back the construction of that road for a number of years?—No, I believe the plan of the contemplated new road was submitted, and the Government was informed that as soon as the road was made satisfactorily the Council would take it over.

3279. The Government has the right to inspect your roads and to require you to do anything that is necessary for keeping them in order?—So far as main roads are concerned.

3280. Are the main roads in your division periodically inspected?—Yes, I should say once in six months.

3281. Do you consider the inspection sufficient?—Yes, and I don't see what else they can do; if they find any defects they bring them to our notice, and we remedy them.

3282. How frequently have you had defects brought to your notice within the last year?—Once.

3283. And that was in regard to what road?—The road at Fishhoek Beach, and that was in regard to some sand which is always accumulating there.

3284. *Chairman.*] I have just received a letter here [*Appendix*] sent by the Divisional Council to the Under Colonial Secretary on the subject of the abolition of the Council. I am sorry you did not mention this matter to me before?—I was confusing the resolution conveyed in this letter with the resolution you spoke of that was arrived at by Conference.

3285. We have been somewhat at cross purposes in this examination, as we did not know about this letter which has only just been put into my hands, from which it appears that the Divisional Council has considered the question of its own abolition, and have actually come to a resolution in favour of its own abolition?—Yes.

3286. And I gather from this correspondence that the Council proposes to set up in its place a County Council?—Yes, that is so.

3287. And it would give this County Council the control of the roads in the Cape Division. Does that refer to roads passing through the Municipalities as well, or only to outside roads?—I think Municipal as well as Divisional roads.

3288. All roads?—Yes, main and branch roads.

3289. And the streets?—Everything, I think; but I must say that I was not present at the meeting when the resolution was passed.

3290. And how is the County Council to be constituted?—I think there was some suggestion that there should be a member from each Municipality, and that the outside areas should elect more or less in the same way as at present. As far as I remember, the idea was—two representatives from Cape Town, one from each Municipality, and the outside areas by Field-cornetcy Divisions.

3291. Then it would practically remain the same, except the change of name?—Pretty well.

3292. You really continue the functions of the Divisional Council in the County Council?—Yes, only it would be cut up into wards, I suppose.

3293. *Mr. Dyer.*] And your area will be extended?—No, it will be the same, only the County Council will have a little extra power.

3294. *Chairman.*] But how is it proposed to derive any benefit by abolishing the Divisional Council under those circumstances?—I cannot answer that question. Mr. O'Reilly moved, and Mr. Runciman seconded the resolution, which was unanimously agreed to.

3295. *Mr. Lawrence.*] Whose scheme is it?—Mr. O'Reilly was the first of the Councillors to make mention of this County Council, and he submitted a proposal, but Mr. Runciman could not support it, and the resolution was amended so as to meet the difficulty, and was then agreed to.

THURSDAY, 24TH APRIL, 1902.

Present :

Hon. Sir Basset Berry (*Chairman*).

Dr. A. J. Gregory.	Mr. W. E. Gurney.
Dr. A. J. Anderson.	Mr. T. Stewart.
Mr. Lawrence.	Mr. J. E. R. de Villiers.
Mr. T. N. Dyer.	

William Edward Moore examined.

Mr. *W. E. Moore.* 24th April, 1902.

3296. *Chairman.*] Your name, Mr. Moore?—William Edward Moore.

3297. You are Mayor of Woodstock, and by profession you are a solicitor?—Yes.

3298. And how long have you been resident in Woodstock?—About fifty or sixty years.

3299. The Woodstock Municipality was created under Act No. 45 of 1882?—Yes; before that it was a Village Management Board created under the Act 29, 1881, and when the Municipal Act of 1882 was passed, it was brought under that Act. I was the Chairman of that Board for about one year, and also for four years Mayor of the newly-created Municipality—altogether for about five years.

3300. You ceased to be a Councillor for a time and came in again?—Yes, I came in again last August.

3301. Woodstock has never been combined with any other Municipality or Municipal area?—No.

3302. Can you give us the area of Woodstock?—1,608 acres. The present boundaries of Woodstock are not the same as the original boundaries, though; the boundaries originally were confined to the inside of the Military line from Cape Town, and extended to what is called the Maitland Road; subsequently they were extended to Observatory so as to include part of Maitland. Previous to that the boundaries were altered by the Cape Town Municipal Act and put outside the Military line.

3303. At any rate you march with Cape Town on the one side and Mowbray on the other?—Yes.

3304. And roughly, your other boundaries are the Sea and the Mountain?—Yes, extending to the flow of the river until it reaches a point at Observatory from where it follows the centre of the road to the Mountain side.

3305. You have a special Act which deals with the land in that area?—Yes.

3306. What is the effect of that generally?—It was passed for the purpose of vesting Government Waste Land in the Municipality; I have not got the Act, but that was the object.

3307. That was an Act of 1893?—Yes, it was a very short Act.

3308. It is still in force?—Yes; although the land was vested in the Municipality Government has the right to claim any portion of it for public purposes.

3309. And could you sell any of it without the consent of the Government?—No.

3310. Does that Act hold *vice versa*, so that the Government cannot alienate the land without consulting you?—Unless Government requires it for public purposes.

3311. Has any land been sold for the benefit of the Municipality?—Oh, yes.

3312. How much of it?—I would have to refer to the figures, and perhaps later on in the course of the examination I could give you that information.

3313. And there is still a good deal of the land left?—Yes.

3314. I mean for sale?—Yes.

3315. And I think you have agreed by resolution to devote the proceeds of these sales to a special purpose?—Yes, to a Sinking Fund, and we have commenced that already.

3316. From land sales?—Yes, and from general revenue. I may say that besides this waste land the Municipality has other land of its own, which it acquired at the time when the Municipality was formed, and also subsequently during the period of its existence.

3317. Land bought by the Municipality?—Yes, from time to time.

3318. Do you include that now in the present area of Woodstock?—Yes, all included in that area.

3319. Since when have you begun to form a Sinking Fund out of land sales?—When I entered the Council last August, I pointed out the necessity of establishing a Sinking Fund, so as to provide for the future repayment of loans, and that suggestion would have been adopted at once had it not been for the fact that we started the year with a deficiency of between £5,000 and £6,000. This deficiency has been wiped out since, and we have paid into the Standard Bank the sum of £600 towards the establishment of a Sinking Fund; besides this £600, we have also deposited some £43 derived from the sales of a small portion of land. The arrangement is that the proceeds of all future sales of land, together with a yearly sum of £600 from revenue, shall be added to this deposit for the purposes of a Sinking Fund.

3320. And that payment now includes nothing from land sales, but is out of general revenue?—Yes, except the small sum of £43 which I have mentioned.

3321. Is there much of your area built upon?—Considerable extent within the Municipality.

3322. In what direction does that lie, on the higher level or on the lower?—On both, but principally on the lower level.

3323. Could you give the Commission an approximate idea of the relative proportions of the area built upon and the area unbuilt on?—Only from a cursory view, but about half is still available for building purposes.

3324. There is a good deal of building going on in Woodstock?—Daily.

3225. Is that by individuals who build houses for their own occupation, or by speculators in building?—Partly the one and partly the other, but principally by those who are building for the purpose of selling again. There is such a great demand for houses that as a matter of fact as soon as the foundation is put in the house is let.

3326. And then the builders would generally acquire blocks of land and divide it up?—No, the builders buy mostly for the purpose of building houses and then disposing of the houses, but of course there has been a good deal of speculation and land has gone up enormously.

3327. The price has within recent time risen very much in Woodstock?—Enormously.

3328. Have you any commonage attached to Woodstock?—No.

3329. So that in terms of the land grant or of the Act constituting you a Municipality you say it is possible that the whole of the area of Woodstock could be sold for building purposes?—No doubt in course of time it will be built upon. This last quarter there have been plans for about 230 houses, of which 99 have been completed in the course of the quarter, and almost daily plans are coming in.

3330. Have you any rivers or streams or other natural waters?—Yes, there is a stream called the Salt River; principally that stream gets it water from the sea during Springtide when the water goes up a certain distance, and the part beyond that contains water which comes from the Black and Liesbeek Rivers.

3331. You have no stormwater channels running from your area?—One or two.

3332. Do they present any difficulty to you?—Yes; frequently there is a heavy down-pour of rain and on more than one occasion the roads have been flooded.

3333. Upon the general question of water supply, is there much of your area at an altitude that cannot be supplied by present arrangements?—There are certain portions where buildings have been erected, such as Walmer, where it is difficult to obtain sufficient pressure in order to supply them.

3334. In what part of Woodstock would there be the greatest congestion of population?—At the present time?

3335. Yes; would it be on the lower level?—No, not so much the lower level; it is more or less general. But still there is less congestion in the upper portion, where a better class of houses is being erected.

3336. Have you made an estimate of the present population of Woodstock?—Well, of course we can only do it approximately; the number of houses within the two areas of Woodstock Nos. 1 and 2 (the division of which I will explain when we come to the water question) is 3,949 up to the commencement of the present year. The average—which is a difficult matter—judging by the number of children, we put down at eight to each house, which would give it at 31,592.

3337. Could you give the Commission an idea of the rate at which the population is increasing year by year? Have you any statistics of, say, five or six years ago?—No, I don't think we have those statistics as far back as that. It is only since the Government has enforced through an Act of Parliament the registration of births and deaths that we are able to keep count. I have not got the census of 1891, but I suppose that would give the population at that time.

3338. Is your population mainly a European one?—Principally; we have very few coloured people.

Mr. W. E. Moore. — 24th April, 1902.

3339. Is there any portion reserved for the occupation of the coloured people?—No; I may mention that at the time when the Municipality started there were a number of Kafirs in a location on private property; these Kafirs frequently had what are called tribal fights; as a consequence they often ran about the place in a nude state, and we were unable to protect ourselves. This eventually led to the establishment of the Municipality. Then Special Constables were sworn in, and a fight took place between the Special Constables and the Kafirs, which resulted in the latter leaving the place; but we have no location in the Municipality, and we have refused to allow one.

3340. Could you give me any statistics about the increase of the number of houses for the last two or three years; for instance, how many plans were passed last year?—I could let you know later on.

3341. And such information as would enable us to form some idea of the prospective increase of house accommodation and population?—Yes.

3342. You have nine Councillors in your Municipality, have you not?—No, twelve.

3343. And what class do they generally belong to; I mean by profession?—I am the only professional man upon the Council; then there is Mr. Behr, who is an auctioneer, and the others are made up of artisans, capitalists, hotel-keepers, and so on.

3344. No particular class dominates?—No.

3345. How do you make up your valuation in your Municipality?—By following the ordinary course which is adopted; we appoint two valuators.

3346. Do you call for tenders?—Yes, and when the tenders are accepted we do not go by the lowest tender; we judge of the capabilities of the valuators and from whom we are most likely to get a fair valuation of the property. They are sworn to value the property according to the value which in their estimation it would realise if put up voluntarily to public auction.

3347. Are you, speaking generally, satisfied with the result of those valuations which you obtain in that way?—The last valuation I think was a very fair one.

3348. *Mr. Gurney.*] What date was that?—The last year was for 1901; it was after that that I came into the Council. There is a considerable increase upon the previous valuation.

3349. *Chairman.*] At the Court held to hear objections were there many objections lodged?—No, as a whole, not many objections. One gentleman objected to the valuation of the properties of a few of the Councillors being too low, and, although he was a Councillor himself, he did not object to his own property, except that the valuation was too high.

3350. I suppose no man objects to his own property being too low?—Well, I have certain cottages occupied by some poor people and I am not charging them the full rental; the valuation upon them was made accordingly; I pointed out to the Council that under ordinary circumstances they would bring me in a much larger rental, and the Council increased the valuation.

3351. You have a very considerable railway population?—Yes.

3352. I suppose that generally they are tenants, or are they owners of property?—Yes, generally tenants; some of them would be owners of property.

3353. Have you as a Municipality made any grant for hospitals or schools or churches or public buildings of any kind?—We have not made a grant for a hospital, but we have allowed a hospital to be erected on the Municipal land, the land being still vested in the Municipality.

3354. For schools?—The Municipality has been making a grant of money, but I pointed out to them that it was illegal and that the Municipality had no power to make such a grant, though they could erect a school and control it themselves.

3355. They have the power now to make a grant of land for school purposes?—Yes; but no land has been granted yet for school purposes.

3356. I suppose your boundaries, as between Cape Town and Woodstock on this side and Mowbray on the other side, are very ill defined?—How?

3357. I mean in this way, that any ordinary pedestrian going along would not know when he left Cape Town and when he entered Woodstock?—Originally the boundaries were more clearly defined, and then any such person would have known, but now, so many buildings have been erected all along the road, and the toll having been removed, it would be difficult for him to tell the boundary between Cape Town and Woodstock.

3357 (a). Would the same apply between the boundary of Woodstock and Mowbray on the other side?—No, there is intervening land, and besides the cemetery also intervenes.

3358. Still a traveller might walk from Cape Town to Rondebosch and not know the difference between the Municipalities?—For that matter he might walk even to Wynberg.

3359. The whole area is more or less an urban area?—No, because take, for instance, Cape Town, with the exception of what is now called the East End Park where the Government has been planting some trees, it is practically one block of buildings, and beyond that all indications are suburban.

3360. Still, taken even from that point of view, there is a great deal of homogeneousness about it?—No, I do not think so, because you find in the majority of the shops in the one portion have dwellings attached to them, whereas in the other direction they are nearly all residential houses. Take, for instance, Cape Town and its gardens, the upper part of Cape Town and the upper part of the suburbs have a great similarity between them.

3361. The same would hold good with reference to Sea Point?—Yes.

3362. There is one great characteristic of the whole area that a very large proportion of the people reside in one part and do business in another part?—Not in Woodstock.

3363. Generally speaking from Sea Point to Wynberg?—Of course take Sea Point, Rondebosch, and Wynberg, many of the people living there have their businesses in town, but take Woodstock, a very large portion of the population are employed in Woodstock, and in that respect Woodstock would differ from the other.

3364. But still there is an element in the population who do business elsewhere than in Woodstock, and yet reside there?—Oh, yes, and that part is considerably decreasing, because there are very many manufactories in the course of erection.

3365. What are those manufactories?—Kamp's Cold Storage, De Beers Cold Storage; there is a large Brewery which has started an enormous pile of buildings, Saunderson's Saddlery, and then there is another man who is going to start a very large Soap Factory. In addition to that, the Milling Company have bought extensive lands, and they are going to put up an enormous bakery, with cottages for their employes, within the area of Woodstock.

3366. And these things will increase the urban character of Woodstock?—Yes. Woodstock is no longer the village of Papendorp; it is now the town of Woodstock.

3367. *Dr. Gregory.*] Have you much overcrowding in parts of your town?—There was with the outbreak of the war when all the refugees came, but it is not to that extent now. Our Sanitary Inspectors are pretty active, and anything of that kind is reported to the Council.

3368. But when you take an average of eight persons to a house—and I take it the houses are very small, as a rule, about four or five rooms—don't you think that that is a very large average?—I don't think so. I don't know what the cubic contents would be, but, at all events, I don't think that a man with his wife and children would be overcrowded in a house with four or five rooms.

3369. Perhaps five rooms is rather a high average?—Yes, you may have four rooms and a kitchen.

3370. Did you say that the overcrowding has abated since the refugees have left?—Yes.

3371. A good many were removed owing to Plague operations were they not?—Some; not very many. There were comparatively very few cases in Woodstock.

3372. No; I mean houses were closed?—Not very many.

3373. You say that a very large number of railway employes form part of your population?—A good portion.

3374. In the event of the Railway Department establishing a village beyond the limits of the Woodstock Municipality, how would that effect your population?—Well, of course it would affect the population to the extent of the number removed, but there are a good many others, such as tradesmen, who would soon occupy the houses vacated by these railway employees.

3375. But why, if the purchasing population is thus reduced, should tradesmen from elsewhere go there?—Because living is cheaper in Woodstock than elsewhere.

3376. The railway employes number about 5,000?—I cannot tell.

3377. In your opinion the removal of the railway employes will not materially affect the future growth of Woodstock?—No, I don't think so.

3378. Is it not your opinion that the future of Woodstock is to become the most industrial manufacturing centre of the Peninsula?—Yes.

3379. And that in the not distant future Woodstock will be somewhat different to all the other urban areas, in that the population will be mainly composed of the industrial classes of inhabitants and that you will have very few well-to-do residents?—All along the upper area a class of buildings are erected and will be erected, which would be suitable even for the upper ten.

3380. You state in the return prepared by your Secretary that there are 222 buildings in the course of erection?—Yes.

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3381. What is the general class of these buildings? Are they not mostly small artisans' dwellings?—It all depends what you would consider a small class of house; it must be borne in mind that the houses now being built are really superior to those which were originally erected.

3382. But they are not the class usually called residential buildings?—No, not what a mercantile gentleman would occupy.

3383. There is no question that the future of Woodstock will be almost purely an artisan and industrial area?—To a certain extent it will be.

3384. Has the question of providing artisans with dwellings ever occupied the attention of your Council?—No, they have not taken up that question; they have enough to do at present in looking after their streets and sanitary matters without entering into general speculation with regard to building. I say speculation because matters cropped up in Cape Town, where I also served as Councillor for 2½ years, and I then expressed my opinion upon the question of Municipalities becoming landlords at the expense of the landlords.

3385. You say it is a speculation: Has that been the general experience in England in providing workmen's dwellings?—I have not been in England and so I cannot say, but when I speak of speculations I mean that the Council would utilise the rates paid by the owners for the purpose of erecting buildings and thereby competing with the man whose rates have been so used.

3386. I presume we may take it that your opinion is rather the opinion of a property owner than of a Town Councillor?—No, because at the time when I expressed that opinion I had only my dwelling-house.

3387. Presuming that an endeavour were decided upon to undertake a scheme for providing artisans' dwellings do you not think that such a scheme should be undertaken jointly by Cape Town and Woodstock?—I don't think it should be undertaken jointly. I don't think that the inhabitants of Woodstock would like to join in anything of that kind with Cape Town. We are on very good terms and we have always been on very good terms; we offered to go to their assistance at the time with their drainage and they have assisted us with water, but beyond that I don't think there would be any joint action between the two.

3388. So that if the necessity for erecting artisans' dwellings is established and a proper scheme were discovered would you then have two schemes—one for Woodstock and one for Cape Town?—Yes, if each Council would agree to that Cape Town would have to erect their cottages within the Cape Town area and Woodstock would have to erect theirs within their own area.

3389. Do you know what has influenced the Railway Department to enter upon the scheme of workmen's dwellings for their employees? Is it not the fact that the difficulty in obtaining suitable dwellings has led them to this decision?—I don't know what animated the Railway Department to take that step; I only heard of it when they proposed to erect certain cottages near the cemetery, but they have been informed that that area has been reserved for an extension of the cemetery.

3390. In describing your area, it does not seem clear whether the Military Hospital falls within it?—No; they call it the Woodstock Hospital.

3391. Then none of the Military area comes into your area?—Simply a small portion where Craig's Battery is.

3392. And is that not likely to lead to any complications or difficulties?—I don't think so; we have never had any difficulties. I may say that at the lower blockhouse there is a very small area within ours, but it is very trifling.

3393. *Mr. Gurney.*] You stated that in your opinion the valuation last August was very satisfactory. You would not say the same of the previous valuation, would you?—Well, I was not in the Council at the time it was made, so I am not in a position to express an opinion upon that matter.

3394. You are aware that an officer was appointed by the Governor to investigate Woodstock Council matters, and he called attention to, amongst other things, the remarkable discrepancies between the valuations of the Divisional Council and the Municipality?—Yes, I am well conversant with the report furnished by that gentleman.

3395. To give you an illustration: One property was purchased for £5,850; the Divisional Council valuation was £2,625 and the Municipal valuation £4,125; another property was sold for £1,000, which was valued for Divisional Council purposes at £250, and for Municipal purposes at £450, and so on. These are remarkable discrepancies, and can you give us any idea of how they arose?—After the valuation was made, property went up by leaps and bounds, far beyond what any person could have contemplated, and I think that is the cause of the difference between the valuation. Then I also think that the valuator knew that there was not so much required for the Divisional Council as for the Municipality, and that they valued accordingly.

3396. That is exactly what I want to get at; has it been a deliberate policy to value, for Divisional Council purposes, lower than for Municipal purposes?—I won't say that it has been a deliberate policy, but it has been done.

3397. It was because not so much was required?—Yes, it is really a habit, and then we know that the farms outside are very considerably undervalued.

3398. *Chairman.*] Is not that a policy?—The valuators may have a policy in doing so.

3399. *Mr. Gurney.*] That would not in any way explain the absolute omission of properties from the Municipal roll?—No, but they may arise from this property changing hands from time to time, and, if no communication is made either to the Divisional Council or to the Municipal Council, it becomes difficult afterwards to trace the property to their proper owners, because it happens that the property may have changed hands some years before, and yet it still stands in the original name. I may, however, say that as far as the Woodstock Council is concerned the Town Clerk and the Treasurer harve rectified that, and we have now a complete record of all the owners within the area of Woodstock.

3400. *Mr. de Villiers.*] Can you tell us, Mr. Moore, whether Woodstock has adopted the Municipal Amendment Acts of 1896 and 1899?—Yes, both.

3401. *Mr. Stewart.*] You saw the evidence of the Surveyor-General?—I read through some of the evidence, but I have not gone through the whole, as it was very voluminous.

3402. He gave us the perimeter of Woodstock; do you know what it is?—No.

3403. 6·64 miles, and the part of the boundary which corresponds to Cape Town is $1\frac{1}{4}$ miles?—I have no idea.

3404. Can you give us any idea of this part as to whether it is built on or still open?—The principal portion is open on the upper side, but the lower parts are all built up.

3405. The principal portion which is open is on the slopes of the Mountain?—Yes.

3406. From what you say about building going on in Woodstock, I understand that the buildings in the upper part will correspond approximately in character to the buildings in the upper part of Cape Town?—Approximately.

3407. And in the lower levels they are more or less industrial buildings?—Yes.

3408. So that on the same level Woodstock would, roughly speaking, approximate to Cape Town?—Yes, with the exception of the industrial buildings, the residential buildings will approximate to a great extent to many buildings in Cape Town, that is to say, the class of buildings put up in the upper part of Woodstock will consist of a better class of building than the lower.

3409. *Dr. Anderson.*] What is the nature of the boundary between Cape Town and Woodstock?—Originally the boundary was a straight line, but with the alterations which came later the upper part runs with a good many angles.

3410. I may take it that the boundaries pass through properties?—Not through properties, but through passages between properties.

3411. Do many of the railway workmen possess their own houses?—I cannot tell you the number, but I know that many of them have their own houses; the majority of them, however, I think, are tenants.

3412. With regard to the overcrowding, you say you don't think that it exists now to any extent?—Yes.

3413. Have you made any regulations with regard to that?—The general regulations of the Municipality on sanitation, and then, besides, we have the power to deal with them under the Public Health Act.

3414. Overcrowding is a very difficult matter to deal with?—Yes, but it can be overcome.

3415. You say that, if Woodstock were in favour of putting up artisans' buildings and Cape Town were of the same opinion, you don't think it would be possible to act jointly in that matter?—No.

3416. What is the reason?—Because Woodstock stands by itself.

3417. And therefore it would not be possible for Cape Town and Woodstock to put up a block of artisans' buildings near to Zonnebloem, acting together in the matter?—They could, but I don't think Woodstock would do it.

3418. Why not?—Because for many years to come they will have so much work before them in connection with the formation of streets, questions of drainage and water supply, and various other things, that they would have quite enough to do. The question of the erection of artisan's buildings has not come up before the Council during my time, nor during the time that I was Mayor and Chairman for the previous five years. But my own conviction is that the Council as a whole will not be in favour of doing that, besides there are so many buildings being erected near the town

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suitable for the requirements of artisans that there would be quite sufficient provision in that direction.

3419. *Mr. Dyer.*] Something has been said about the difference in the valuation of the Divisional Council and the Municipal Council; can you tell us whether the same measures are taken by both these bodies in obtaining their valuation?—The same valuators have in some instances been appointed by both bodies Every Council should have its own Official Valuator, and members of a Council should not be parties to a suit and judges at the same time. The Valuation Court should be independent.

3420. But how do the Councils obtain these valuations?—Tenders are called for and sent in at certain amounts.

3421. And in many cases the same valuators have valued the properties for both bodies?—Yes, the difference between the valuations is a very difficult matter to explain, and I have already stated my view in regard to that matter.

3422. *Mr. Lawrence.*] Are there any Public gardens in Woodstock?—No, except the Municipal gardens round the Town Hall.

3423. That is immediately round the Town Office?—Yes, and there is a certain area on the slope of the mountain near the upper road, which it was my idea to lay out and kerb, and then sell, adding the proceeds to the Sinking Fund, but the majority of the Councillors were in favour of reserving it for a public garden.

3424. So that a good piece of land is reserved for that?—Oh yes, an excellent piece.

3425. Have you got any squares or ground set apart for that?—No.

3426. In your evidence you said that you expected the whole of Woodstock would be built over, and I should like to know what provision has been made in this direction for the future?—The Council have not given any attention to this matter. Owners subdivide and dispose of their property by auction, and so long as they conform to the requirements of the Council in regard to the width of their streets, and comply with the sanitary arrangements, the Council would not be justified in laying down a rule that any owner of property should reserve anything for a square; they would not have the power. The only way for us would be to purchase a piece of land.

3427. We have some evidence with regard to Woodstock No. 1 and Woodstock No. 2, how are they divided?—Woodstock No. 1 was the original Papendorp; it includes all places up to Maitland-road, which leads from the upper part opposite Roodebloem; then it goes down and meets the lower main road. On the upper side it extends somewhat further. Afterwards, complaints were made by the Maitland people that they were paying rates to the Village Management Board, and they applied to the Government to be created a Municipality or to be joined on to Woodstock No. 1. A Commission was appointed consisting of the Magistrate, the Surveyor-General and myself to investigate and report on the matter. The majority were in favour of extending it to Polo Road, and I handed in a minority report to extend it to Observatory, and the Government adopted the minority report. As to why it is called Woodstock No. 1 and No. 2, I will explain when we come to the question of the water supply.

3428. Well now, is the old toll site the boundary of Cape Town and Woodstock on this side?—No, on the other side. There was a certain variation made there under the Municipal Amendment Act, the boundaries were changed from the inner side to the outer side of the Military line.

3429. Is the boundary about where the Tramway station is?—Yes, the Cape Town Council wanted to rate the Tramway property, but they found that it was outside the boundary, and that by the change Cape Town had annexed it.

3430. *Chairman.*] According to the statement handed in there has been only one what would be called an extensive sale of Municipal land and that was in the year 1900, which realised about £16,000; was that one sale or more than one?—Not altogether one sale, I will tell you how that arose; when the Municipality started they wanted a dumping ground, and they also wanted road material, so we bought the land on the Leliebloem side, which is the land that I have referred to that the Council wished to keep for a public park, and there we obtain street material. Below where the Gas Company now have their works, the Council bought the ground, and owing to the shape of it, which is hollow and filled with water during the Spring Tide, it has been gradually covered up by being used as a dumping ground. A portion of it was sold to the Gas Company, a portion to the Railway Department and another portion to the Milnerton Railway people. Then recently the Government expropriated another large portion of that ground; we went to arbitration, and I think they awarded us £14,000 odd. These are the lands which were sold for the £16,000 and realised out of the small investment of the Council who paid £250 for it.

3431. That big sale gave you a balance of £12,000 for the next year?—Yes.

3432. Can you put your finger on any special purpose that that money was devoted to in 1901?—I was not in the Council, Mr. Behr was Mayor at the time, but I may say that £7,000 was applied towards the purchase of Oliphant's Hoek, and the remainder went into general purposes.

3433. Was any restriction placed on the money by the Government?—No, I don't think so.

3434. There is still a remaining area of Municipal land that you have not sold?—Yes,

3435. Is there any of that area suitable for a public park?—Oh yes, that is the part where we have removed the road material, and there would be quite sufficient for that purpose.

3436. Is there any idea of appropriating it for that purpose?—Yes, that is the idea of the majority.

3437. Can you give us the extent of it?—No.

3438. *Mr. Garney.*] In the statement rendered to the Commission for the last five years the receipts, as summarised, are shown as £98,206, and the payments £98,110, a difference of £95 only. But the receipts include £5,000 loan from the loan account; and £16,509 from the sale of lands?—Yes.

3439. Making a total of £21,509 altogether from those two sources?—Yes.

3440. That is, instead of being £95 to the good, you would have been £21,500 to the bad, but for these two items?—Yes, so I presume

3441. The smaller sales of Municipal lands, I think, were only approved by the Governor subject to the money being spent on specified works?—Yes.

3442. And those works are included on the other side of the account?—Yes.

3443. It was only the large sale of £14,500 which was not restricted?—Yes.

3444. And the £5,000 borrowed from the loan account is still due?—No, we have paid it back, and besides we have added £600 to our Sinking Fund, and in the course of a couple of months when we have got in our revenue we would be in a very different position to the time when the investigation was made.

3445. What I was driving at was this, that the result of the five years, but for the £14,500 sale of Municipal land and this loan, would have been a deficit of some £20,000?—Yes.

3446. And therefore unless some steps were taken to reduce the expenditure or increase the receipts, the Council had a very unsatisfactory prospect before it?—Yes.

3447. Have steps been taken with that view?—Yes, and have resulted in an increase of revenue.

3448. Has the revenue been increased by an increase of rates?—Yes.

3449. You have only an owners' rate?—Yes, and we have never gone beyond 2d. in the £1.

3450. And this year?—No increase.

3451. How then have you increased your receipts?—Increased valuation on the properties and looking after the money.

3452. As a matter of fact during these five years things have not been managed quite as they should have been?—No, I cannot say they were.

3453. The increase in salaries is a very marked item, starting in 1897 at £580, it had grown in 1901 to £3,188, nearly six times?—According to my figures in 1897 the salaries were £547 8s. 4d.; in 1898, £709 7s. 6d.; in 1899, £1,366 16s. 8d.; in 1900, £1,905 3s. 11d.; and in 1901, £2,919 11s. 8d.

3454. The figures you are quoting from are for the year ending 30th June?—Yes.

3455. In the abstract of accounts rendered to the Commission you will find that the figures are given for the calendar year and not for the financial year?—This is the first time I have seen this statement, but I find that it is so.

3456. The fact is that the figures under that head increased from £580 in 1897 to £3,188 in 1901?—Yes, and there was a greater increase. When I entered the Council I found that they had increased the permanent and temporary salaries to £5,700 per annum.

3457. You are aware that the officer appointed by the Governor to make the investigation drew attention to this question?—Yes.

3458. That was shortly before you became Mayor?—Yes.

3459. Since then you have given the matter careful attention and what has been the result?—The result has been that we have adopted a totally different system. The Departments were placed under two heads,—the Town Clerk and the City Engineer controlled the different Departments under their separate heads, and they considered themselves solely responsible to the Council, but now certain Departments

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which came under the Town Clerk and the other Departments are all classed under the City Engineer's Department, the Town Clerk being the responsible head to the Council. By amalgamating in this way a saving has been effected, but of course with the growth of the Municipality and the diminution of Officers, some have had to have their salaries increased. The Town Clerk for instance only drew £400 a year which has been increased to £600, and our salaries now amount to £3,362.

3460. So that you have actually reduced them since you took office?—Yes.

3461. But not so as to make them less than the figures shewn in these amounts?—No.

3462. And with the large increase in the five years you think this is justified by the growth of the Town?—Decidedly. We must have men well paid, for then you get your work done well.

3463. As a matter of fact, the shortfall of revenue as against the expenditure in these five years, which would have resulted but for the sale of the Municipal lands, was partly caused by a loss of £5,000 under the water arrangements for District No. 1?—Yes.

3464. You have an arrangement by which the Water Company supplies you with water at a certain price, and you again sell it to the ratepayers?—Yes.

3465. And without going into the details at the moment, that resulted in this loss of £5,000?—I don't know the amount, but it was a heavy loss.

3466. That went on consistently, and the Council apparently took no notice of it until this Government Officer reported on the matter, which was before you became Mayor?—It was about the same time.

3467. How was it that the Council submitted so long to a loss of that sort?—Mr. Behr, who was Mayor before me, would be able to explain it better. Before I came in they had appointed an Engineer at £400 a year to try and ascertain what was the cause of their losing £1,500 a year instead of making a profit of £1,200, so that the loss was really £2,700 a year, and the Engineer found that there was no proper check, besides a good deal of dishonesty went on, people using more water than they were entitled to, and a lot of water running to waste.

3468. *Chairman.*] You are supplied by meter?—Yes, and under our Act we had to supply each owner with fifty gallons, so that they would pay for fifty gallons and probably use two hundred gallons.

3469. You were paying more for the water than you got from Woodstock?—Yes, to give you an illustration, a man applied for water to put up two cottages, and without the knowledge of the Council another man erected three buildings simply by joining on a pipe to the first man's supply, and the Council knew nothing about it.

3470. The Water Committee supplied you in bulk, and they charged you by meter?—Yes, it is according to agreement.

3471. And there was a considerable wastage, and thereby a loss of revenue?—Yes.

3472. *Mr. Gurney.*] I think the officer investigating the matter found that the loss was due to: —(*a*) defective meters; (*b*) loss through fixed charge being inadequate; (*c*) water used for Municipal purposes not being charged for; (*d*) loss on plumber's accounts?—Yes.

3473. As a matter of fact, at that time you had very inadequate supervision over all the arrangements?—Yes.

3474. There was a plumber who had to look after these things, and, at the same time, he had to supervise and mend taps, and had various things to do all over the Municipality?—Yes.

3475. So that in some instances it was found difficult for him to properly supervise things, because he had to repair some weeks 350, 250, and in others 300 taps?—Yes.

3476. Then the taps were of very inferior quality, and the Municipality had no rules forcing people to have desirable taps?—I don't know if there were rules.

3477. Under the new arrangement this year you would have a profit instead of a loss?—Yes, all these things have been placed under the Town Engineer.

3478. Although this loss has been allowed to go on for five years or more, all that has been stopped now?—Yes, as far as we could, we have ordered a number of meters in order to check the supply. Besides we have passed a resolution that each householder instead of taking 50 gallons should take at least 200 gallons. There should now be a profit instead of a loss.

3479. In the ordinary expenditure is included £7,317 in connection with the purchase of Oliphant's Hoek?—Yes.

3480. That you regard as a legitimate charge against the ordinary account owing to the windfall of this £14,500 produced by the sale of land?—Yes.

3481. The remaining debt incurred in connection with the purchase of land at Oliphant's Hoek you covered by debentures at four per cent.?—Yes, £20,000 for five years. All this occurred before my time.

3481(a). So that the Council now holds the Oliphant's Hoek and Le Roque farms and certain rights represented by the £20,000 Municipal debentures and the £7,000 expenditure?—Yes

3482. You are not able to pay the interest of these debentures at present owing to an order of Court?—We are able and willing to pay, but the interdict of the Court prevents our doing so.

3483. The officer who made the investigation last July called the attention of the Council to the fact that in his opinion this £20,000 could not pass audit?—I think he also held the opinion that the Councillors who voted for it were personally liable.

3484. Did he not hold that the £20,000 purchase was illegal in the first instance?—I think so, the report was very voluminous.

3485. These are the transactions: firstly the purchase, and secondly the issue of the debentures?—Yes.

2486. And I believe that he said that the issue of the debentures and the purchase were illegal?—Yes, that was his opinion.

3487. Then you got Counsel's opinion which recommended you to hold on to your purchase?—Yes, we have had several opinions from Counsel on the matter, but a ratepayer took the matter into court and obtained the rule nisi.

3488. Against your paying interest?—Yes.

3489. So that as far as your financial position is concerned you hold these properties and rights, and you have these liabilities of £20,000 debentures and £7,000 paid out?—Yes, and a very good position we are in too as regards that; and, notwithstanding the difficulty, which is not insuperable, we have got full value for the money.

3490. The purchase represents two farms, Oliphant's Hoek and La Roche; and this £7,233 1s. 7d. represents expenditure in connection with that purchase?—It also includes certain surveys which were made, but the £20,000 was for the payment of the rights of all the riparian owners down to the Berg River.

3491. And the right of laying pipes?—Yes, and constructing roads and doing everything that was necessary for the purpose of carrying out the scheme.

3492. And these farms over which these rights were purchased were at the time valued for something like £8,900 for Divisional Council purposes?—That is made up by one of the farms alone, for which a man has refused £10,000.

3493. So the Divisional Council valuation was absurdly low?—Well, it is not for me to condemn the valuators at the time, but at any rate it was far below what the places were worth at the time.

3494. *Mr. Dyer.*] They did not grumble at the valuation?—I believe not.

3495. *Mr. Gurney.*] So that although the Divisional Council valuation of the farms which the valuator had declared he had put down at a fair valuation at £8,900, the Council did not think it excessive to pay for only certain rights on them £20,000?—They considered it was a fair value.

3496. And therefore, you considered that the assets are worth the sum paid and the liabilities incurred?—In a week's time a syndicate could be formed and I know that one man is ready to put £10,000 into it.

3497. *Chairman.*] If the water rights were sold, would they bring in more than the Council paid irrespective of the land?—Yes, in this case. There are a series of farms below the spring all exercising riparian rights, and we have bought all these rights.

3498. *Mr. Lawrence.*] You bought the source of the water?—Yes, and the riparian rights of all the owners down to the Berg River.

3499. *Dr. Gregory.*] You say these water rights are worth £20,000, or might be within a week; is that the prospective value in case the scheme is adopted by the Municipality?—Oh yes, for the purpose of the scheme.

3500. Then supposing that the scheme were not adopted, would it still be of that value?—I cannot assume that the scheme will not be carried out, but, assuming that it is not, then, as far as the Councils are concerned, it would not be of that value; but there is a syndicate quite prepared to carry out the scheme.

3501. *Mr. Gurney.*] With a view to supplying Woodstock?—Yes, and all along the line.

3502. If the scheme were abandoned and some other scheme taken up, the value of these rights would no longer be £20,000, but would probably revert to the Divisional Council valuation of £8,900?—That is an abstract question which I can hardly answer.

3503. *Dr. Gregory.*] Would it be possible to put in a financial statement of the Oliphant's Hook Scheme, showing the money that has been expended upon it?—You have here the amount of money that has been expended, but I think subsequently additional money was spent for a survey.

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3504. *Mr. Gurney.*] The survey has not been paid yet?—Yes, the Council agreed to give £500 towards it. £250 was paid and £250 was remitted to the Waterworks Company, and if the Commission wish to have a statement I could furnish one.

3505. You have also a loan indebtedness of £68,000—three loans, one of £18,000, another of £30,000, and yet another of £20,000. And in addition you have an indebtedness of £75,000 to the Standard Bank in connection with the purchase of the Suburban Waterworks?—Yes, a quarter share in that.

3506. You own a quarter share, and you have this liability of £75,000 against it?—Yes.

3507. At the time when you became Mayor you found that the Officer who made the investigation had called attention to the fact that no entries of this liability had been made in the Council's books?—Yes.

3508. Have they been made since?—Yes, in the balance sheet.

3509. The Council now recognises that this is one of their liabilities and assets?—Yes, they brought it up.

3510. It is recognised as a valuable asset of the Municipal Council?—Yes, otherwise we would not have gone in for it.

3511. Would you always be able to retain this interest in the Suburban Waterworks, even if you obtained a bountiful water supply elsewhere; and would you always expect a quarter share of the profits?—I don't know; but are you dealing with the water question now?

3512. Only from a financial point of view; do you regard it as a purchase by the Municipality—an investment—of one quarter share in the waterworks?—For the purpose of water.

3513. But if you got a profit, it is yours for that as well as for any other purpose?—But I take it that the profit would go towards a reduction of the water charges.

3514. Suppose that Woodstock obtained no water from the Suburban Waterworks Committee, and that they had a supply of their own, would not Woodstock still be entitled to an account from the Municipal Water Board?—It is not a Board; it is a Committee of Management—I notice that other witnesses call it a Board—there are two representatives from each Council, and the Committee have the power of controlling and regulating the water supply. The Committee are the delegates from the Council, and I think undoubtedly the Council would hold on to the asset.

3515. If they did not require the water, would they still hold on to the asset?—I am not prepared to answer that question. It would depend entirely on the appropriation of profits if profits were made, because I take it that it is possible that they would in that case reduce the price of the water to the extent of the profits derived.

3516. Under these circumstances Woodstock would naturally hold on to the arrangement even if it were not taking the water?—Yes.

3517. And claim its share in the profits?—Of course they would do that. The effect of it would be that they would be relieving the Committee ofthe supply of their water which could be distributed elsewhere.

3518. But then if that were done, would you not be ready to give up your asset?—Oh no, we never discussed the matter in the Council.

3519. It is, however, a *bona fide* asset which appears in your balance sheet now?—Yes.

3520. Then for the loan indebtedness: what have you in the way of definite assets?—The valuation of our Municipal property of £73,000.

3521. That would include the Town Hall and the ground around it as well as the ground which you hold on the hill and the remainder below that?—Yes; I have got totals showing these assets.

3522. *Chairman.*] Is that the unbuilt-on land of the Municipality?—Yes, round the Town Hall.

3523. That land could not be realised without the consent of the Government?—Such a course, I take it, requires the consent of the Government, and the Government would not consent unless a definite object for which the land is required is placed before them, that is the usual course adopted.

3524. *Mr. Gurney.*] Your Municipal building only cost something under £2,000?—Yes, but we have added considerably to it, and there is a good extent of land in front as well as at the back of the building, and also where we have the stables.

3525. And all that is included in the £73,000?—Yes.

3526. And a large part of the value of that would ultimately go to the Sinking Fund towards the repayment of the debt under this new arrangement?—Whatever we realise.

3527. You have decided that all the proceeds of land should be carried to a Sinking Fund?—Yes, from one capital account to another capital account. This should have been done before and that is where the Council made the mistake.

3528. How much of this £73,000 is likely ultimately to find its way into the Sinking Fund?—Well, the Town Hall is being used and we pay no rent for it, therefore although it will not be realised, it is practically a Sinking Fund. All the proceeds of sale of Municipal land is in future to go to the Sinking Fund towards paying the debt.

3529. You cannot say how much of this £73,000 represents Municipal land that will be ultimately so treated?—It is difficult to say, because there is also the ground set aside for the public Park which will not be realised and consequently cannot go to the Sinking Fund. Then Government has given us notice that they want more land of the piece that we use for a dumping ground, and, the moment that that is sold and paid for by the Government, the money would go to the Sinking Fund, besides our annual contribution of £600 every year out of general revenue.

3530. Your first loan of £18,000 was raised in 1894?—I don't know the date.

3531. And £13,700 of it is in four per cent. debentures and £4,300 in three and a half per cent. debentures. These I think are repayable by annual drawings commencing in 1919?—I don't know the date, I was not Mayor at the time.

3532. The next loan of £30,000 was raised in 1898 and is similarly repayable by annual drawings from 1919. You were not preparing for these drawings when you became Mayor?—No.

3533. But now you will be ready for them?—Yes.

3534. Then the £75,000 is borrowed at present from the Standard Bank, at present for the water?—Yes, at five per cent.

3535. The loan of £18,000 in 1894 was for the purpose of paying off an overdraft at the Bank, paying off the Government loan, and also to enable the Council to construct, kerb, gutter, and form streets and squares. The next loan was also for kerbing and guttering. So that you have nothing representing these loans except the work performed in the Municipality, which of course cannot be sold?—Yes.

3536. The third loan of £20,000 debentures represents the Oliphant's Hoek water scheme?—Yes, they have put it to loan account but I consider that neither the purchase price owing nor the balance paid off should go to loan account until the loan is applied for in order to pay the indebtedness. The debenture is the same as giving a man a promissory note payable at a certain date, and no loan has ever been raised upon it.

3537. *Chairman.*] That £20,000 is debentures for the Oliphant's Hoek scheme?—Yes.

3538. When was that contracted?—In 1901.

3539. *Mr. Gurney.*] Do I understand you to hold that the £20,000 debentures do not represent a loan?—I consider it is not in the shape of a loan.

3540. Debentures not in the shape of a loan?—Yes, not issued for a loan. I don't look upon it as being in the shape of a loan. If I go to a shopkeeper and purchase a quantity of goods and I give him a promissory note, then that is not a loan, but if I go to you and borrow the money, then that would be a loan.

3541. You remember that the Officer who made the investigation pointed out that before proceeding to borrow any money the Council should do certain things?—Yes.

3542. You don't consider that the Council has borrowed this £20,000?—No, adopting the wording of the report framed by that Officer.

3543. And you say you did not borrow the money?—No; when we wish to raise a loan the ratepayers are consulted, and they ratify the action of the Council or otherwise.

3544. These debentures that you issued for the payment of these riparian rights are not simply an acknowledgment to the person from whom you bought these rights, but a promise to pay to the debenture holders each one his respective amount. This man had the property and the riparian rights, and in payment you gave him £20,000 debentures. Each one of those debentures represents that the Municipality of Woodstock owes £1,000 to each of the debenture holders?—No, I don't think that.

3545. *Chairman.*] Have you a form of the debenture?—No, but I could get one.

3546. *Mr. Gurney.*] It is certainly a new thing to most of us that a debenture issued does not represent a debt?—A debenture issued for money borrowed does; but when it is issued for an indebtedness I take it that it is not in the shape of a loan. Supposing the Council had expended a certain sum of money upon certain property and they gave a personal acknowledgment of debt, then there you have an acknowledgment of indebtedness. But if the Municipality went and borrowed money from the Government or private persons, then they would obtain a loan to pay that indebtedness.

3547. You don't consider this £20,000 as a loan raised by the Municipality?—No.

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3548. *Chairman.*] Does not that frustrate all the conditions of the Act of Parliament? If you hold that the Municipality can raise an unlimited sum of money, would not the whole safeguard be gone?—No, that would not be, if they kept fairly within the amount for which they may go into debt.

3549. I would like to have an explanation?—Others may think differently, but that is my view. It was not necessary to apply to the Government until after the ratepayers had adopted the scheme for the Board to raise a loan to pay their indebtedness. Of course in this case they have paid £7,000 of the amount and have given the debentures for the balance.

3550. *Mr. Gurney.*] The Officer making the investigation considered that it was illegal and that the Councillors were jointly liable to pay the sum?—That is so.

3551. Your contention is that those Councillors borrowed the money and not the Municipality?—Well——

3552. The position he held was that the Municipality had illegally borrowed, and that therefore the Councillors who voted for it were personally responsible?—Yes.

3553. Your contention is that the Council has not borrowed but that the Councillors personally have borrowed the money?—No, certainly not, the Council made the purchase.

3554. And no one is liable?—They bought the property.

3555. Is the original seller bound to hold these debentures?—No, they are negotiable just like a promissory note.

3556. And you still hold that you have not borrowed the money?—Not in that case.

3557. *Chairman.*] Would not the whole safeguard intended to be set up by Section 146 of the General Municipal Act, under which you are working, be undermined by a proposition of that kind?—How so?

3558. Because it says there distinctly that no proposition for borrowing money shall be adopted unless a notice has been published in the *Government Gazette* setting forth the object for which the borrowing is required and so on?—I quite agree with you.

3559. Now, how could the Municipality lawfully issue these debentures; that clause seems to establish certain safeguards for a Municipality, and according to your theory it seems that all these safeguards can be blown to the wind?—With all due respect, my interpretation is that the Council cannot make the purchase without the consent of the ratepayers, and the Government must approve of that—that is for the purchase of property for certain purposes—and the scheme would have to be ratified by the ratepayers afterwards.

3560. When they want to raise a loan in order to pay for that, they would have to apply to the Government to enable them to raise the loan to pay; and that means that a public body cannot indiscriminately borrow any sum of money without first obtaining the consent of the Government. According to your contention the Council has issued debentures, but is it not a debt incurred by the Municipality?—Oh yes, as long as it was all ratified by the ratepayers afterwards.

3561. Then the provisions of this Act have been set aside?—No; the ratepayers have ratified, and we have applied to the Government to raise a loan to pay off the debt.

3562. *Mr. Gurney.*] That is not the opinion of your Counsel which you were quoting?—I am only giving my own view.

3563. Well, it is a surprising view?—There is nothing new under the sun.

3564. Your statement of assets and liabilities shew £39,000 excess of assets over liabilities, and we have discussed the various items, but a part of that is the value of the Municipal Hall and stables?—Yes.

3565. But practically the position is unusually favourable owing to the fact that you have these valuable Municipal lands?—Yes.

3566. Probably a more favourable statement than any other Suburban Municipality would be able to present?—Yes, and partly due to that.

3567. Very largely?—The waste lands vested in the Council by Act of Parliament are comparatively small, and are always liable to be resumed by Government, but the purchased Municipal land is different.

3568. But the prosperous position of the Woodstock Municipality is really due to the Government having given them these valuable lands?—Comparatively to a very small extent.

3569. A part of the £73,000 valuation was the £15,000 realised the other day?—All purchases and sales made by the Council, and of course the £15,000 would be included.

3570. But does the £73,000 represent the land given you by the Government?—I cannot say to what extent.

3571. The larger part is land purchased by the Municipality?—Yes.

3572. So that it is not due to the Act, but the good fortune of the Municipality?—No, the wisdom of the Municipality. We looked to the future and made this purchase, which has proved a very beneficial one to the Council.

3573. *Mr. Stewart.*] Do I understand that Woodstock has lost a considerable amount of revenue owing to the waste of water?—Yes.

3574. You are aware of course that all public bodies dealing with the distribution of water have had to contend with waste for many years back?—I believe that has been the case.

3575. Are you aware that it has paid them to take steps to prevent the waste of water?—I don't know what steps they are taking.

3576. But the Woodstock Council did not take steps to prevent the waste until their attention was drawn to it from an outside source?—I don't know, but at all events it is clear that there was no proper check, and when I say no proper check you are aware that there is a great difficulty in controlling and checking water unless you go in for the most expensive kind of meters, and even those are liable to err.

3577. Woodstock has adopted stringent measures?—Very stringent.

3578 And they hope to get an increased revenue?—In fact we have derived an increased revenue already.

3579. So that as a matter of fact it will pay Woodstock to have better supervision?—Yes, than they had before; at present the supervision is good.

3580. *Dr. Anderson.*] You say the riparian rights which have been secured from the Oliphant's Hoek for £20,000 are all from one individual?—Yes, he purchased them from all the parties.

3581. Can you tell me how long they had been in his possession?—I don't know, it was carried through during Mr. Behr's Mayoralty.

3582. With regard to that opinion of yours on the legality or otherwise of those debentures; what is the present condition of affairs since you have been to the Supreme Court?—The rule *nisi* was made but before it was made absolute sufficient time was allowed us to call a meeting of ratepayers who have ratified the action of the Council and authorised them to go on with the scheme.

3583. *Mr. Lawrence.*] You mentioned that an Officer enquired into matters at Woodstock; was he a Government Official appointed by the Government?—Yes, appointed by the Government.

3583(a). Why was he appointed?—Articles had appeared in the Cape Town papers representing matters of the Council in a bad light, and it was then suggested that the Council should approach the Government to appoint an Officer, but out of deference to the feelings of the Auditors to the Council, it was decided that they should apply to the Government.

3584. Was the report satisfactory?—I think on the whole.

3585. To the Council?—I think so; he pointed out the different directions in which improvements should be made, and many of these directions have been carried out so that things are on a better basis now than they were before.

3586. *Dr. Gregory.*] You say that the amount of salaries of your staff has increased from 1897 about six times?—Yes.

3587. And you say it is really due to the expansion of the Municipality?—Yes, and carrying out the work of the Municipality in a much more efficient manner than it was done before.

3588. As a matter of fact, your revenue has only increased about three times; have your boundaries been extended?—No. And the increase of revenue has enabled us to increase the salaries.

3589. But the increase you say is not only due to the increase of the Municipality, but to the increase of efficiency?—The increase of the Municipality as well as the efficiency of those employed.

3590. There is one point in connection with your loan account. Your balance sheet of liabilities and assets shows an excess of assets over liabilities of close on £40,000. You are really at the present moment in a better position than that, because your assets here only show £2,300 remaining of your 1900 loan, whereas you really have about £7,000, having repaid the £5,000 you borrowed from revenue account from that loan?—Yes.

3591. So that your balance of excess of assets over liabilities is really about £45,000 at the present moment?—It would be about that in round figures.

3592. *Chairman*]. You know clause 152 of the Municipal Act of 1882?—Yes.

3593. It limits the power of borrowing to ten times the annual revenue?—Yes.

3594. Your borrowing powers amount to about £150,000. Now, would you tell me what you regard as revenue for that purpose. Would you limit it to rates?—The Act does not say so, and I think any source of revenue would be applicable. The Act does not clearly define the term.

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3595. You include there "water revenue"?—Yes, and "sand revenue," which latter is derived from the sale of sand above high water mark.

3596. Would you include that in the revenue?—Yes, if the Legislature intended that it should only apply to rates they would clearly have said so.

3597. For instance, you would not include that obligation of £75,000 for the Water Committee as part of a sum which you can borrow under that Act?—There are provisions made outside the Act of 1882, empowering the Councils to borrow up to £500,000.

3598. The theory is that you practically sell water, and by that sale you get another revenue which is quite distinct from the Act of 1882?—Yes, that is as I regard it.

3599. The same thing would hold good to Municipalities generally?—The Municipalities having an interest in the matter.

3600. And generally with reference to Municipalities?—Oh, yes, with water. These four Municipalities are represented by the Committee of Management and empowered under the provisions of this Act to raise a special loan, and therefore the argument could not be brought forward in their case. They are empowered to raise a sum of money quite distinct from the general Municipal Act, and if they wanted to borrow money for the creation of a water-supply, for instance, the amount which they could borrow is not limited under that clause, but they would require an Act of Parliament.

3601. There is an Act which gives them the power with the consent of the Government?—Yes, under the Public Health Act of 1897.

3602. So that as a Municipality you could use powers under the Public Health Act over and above the powers given you under this clause?—Yes.

3603. And up to the present, have you done that?—No; unless in the making of this purchase of Oliphant's Hoek they did so under the provisions of the Public Health Act. They could not do it under the Act of 1882. The Public Health Act gives them much greater power than they had before.

3604. Up to the passing of this Act known as the Water Act of Woodstock and Claremont of 1898, what was the arrangement in Woodstock for the water-supply?—When the Municipality was created, the supply was from wells.

3605. Entirely?—Yes; then we had the water analysed, and we found that most of it was unwholesome. After that Mr. Wheeler applied to the Council to grant him a concession, for twenty years, which if they did he would supply them with water.

3606. Is that the Mr. Wheeler referred to in the Act?—Yes; in 1887 a contract was entered into with him by which he had to supply the Council with water within a certain period, the Council to take 50,000 gallons, and he being bound to supply them up to 200,000 in accordance with the agreement attached to the Act. Later on Claremont entered into the same arrangement with Mr. Wheeler, and eventually the Water Company was formed. We commenced with 50,000 gallons and went up to 200,000 gallons, which is supplied in bulk for Woodstock No. 1. Woodstock No. 2 is supplied direct to the consumers by the Committee, because when the agreement was made and the Act was passed we were only dealing with Woodstock No. 1. We took Counsel's opinion, and it was found that Woodstock No. 2 was placed on a different basis altogether. It is, however, considered by the Committee desirable that they should be placed on one footing, and that either the Council should supply the whole and pay for the water or that the Committee should supply the whole direct.

3607. Before the Committee came into existence was the work done by the Company fairly satisfactory?—There were some complaints, but the boon conferred upon the people in getting the water was so great that the complaints were nothing compared to the benefit derived.

3608. It was fairly adequate compared with the population?—Yes.

3609. And in 1898 the Municipality resolved to take advantage of a clause in the Act which gave them the right to acquire the Waterworks?—Yes.

3610. In connection with that matter, it has appeared from evidence that as a part of the arbitration proceedings a lot of very valuable information about gaugings, springs, &c., was submitted, and we have been trying to get possession of some of these for the use of the Commission; do you know how we could get access to that?—I have handed to the Secretary of the Water Committee some papers which I think contain the whole of he evidence.

3611. Was that since this Commission has been sitting?—I cannot say, but it was quite recently, it was a very important case, and we found that hydraulics, electrolysis, and other branches of science were merged into this case.

3612. If that record is in existence we are likely to find it from the Water Committee?—Probably; I will try and ascertain from the Secretary, Mr. Rouse.

3613. When was this Water Committee brought into use?—In 1899, it was when we went to arbitration; the Company went to a considerable amount of expense and got out an expert to give evidence in their favour, and I think the claim amounted to something over £400,000, and £218,000 was awarded, I think. The award was from the 1st January, 1899, and the Company had gone on increasing the meter supply so that they shewed a return of twelve per cent. for the last year. We had to take it over as a going concern and they claimed on the basis of the twelve per cent. which was only shewn for the last year, but the arbitrators awarded that we take it over from the 1st January for £218,000 at four per cent.

3614. You started working in 1900?—I think so.

3615. The supply of water which the Water Committee sent to Woodstock was soon found to be inadequate for the wants of the people?—Yes, and the pressure was insufficient so that we could not supply the higher levels such as Walmer Estate.

3616. So that from about 1900 you began to look out for a supply of water from another source?—I was not in the Council, but I suppose it was under discussion.

3617. I see from this abstract that the first expenditure on the Oliphant's Hoek Scheme was in 1900, when £446 was paid out?—Yes.

3618. That would imply that in that year the dissatisfaction with the supply was begun to be felt?—Yes.

3619. And that your Council began to look afield for further water?—Yes.

3620. Could you tell the Commission if, when this scheme matures, it is the intention of your Council to hand over that supply to the Committee and work it through the Committee?—I don't know, but I may say that there was a letter on the subject addressed to the Claremont Council, saying that it would be a desirable thing for the two Councils to join in the scheme, but I don't know whether Claremont Council took it into consideration. Nothing was done and no action was taken by the Claremont Council until Woodstock Council had purchased. In the meantime the owner of the place would not wait as he said he had a better offer, and then Woodstock bought it and Claremont has no right beyond that one letter which only made a suggestion that it would be desirable to join. There has been no formal proposal submitted to the Water Committee by Woodstock to work this Oliphant's River scheme through the Committee.

3621. Then Woodstock Council holds to the opinion that they can work this scheme independently of the Water Committee?—Oh yes.

3622. Does the Water Committee hold that view too?—I don't know that it has actually been discussed, and I take it that the position of Mowbray and Rondebosch with the Steenbras River would be exactly the same. The Committee of Management are only the delegates of the Councils and it is for the Councils to decide these matters.

3623. Assuming that you were to get an independent source of water adequate to all the wants of Woodstock, to what extent do you believe you could supply Woodstock consumers from this independent supply and decline taking water from the Water Committee?—You mean the liability or not?

3624. Yes.—I take it we would be able to.

3625. You could deprive the Water Committee of all the revenue derived from Woodstock?—I don't go as far as that. Woodstock would ask to be relieved if they could get an independent supply and that would enable the Water Committee to supply others, and Woodstock would say, "we will release you from our supply of water in order to enable you to supply others who are not now supplied."

3626. And what happens?—They would get more revenue and would not lose.

3627. But they would get it from another quarter?—Yes.

3628. That does not meet my point; I want to know whether it has been discussed by the Woodstock Council that they consider themselves justified, supposing an adequate supply of water were obtained for that Municipality, to decline taking water from the Water Committee?—I don't think that they could decline.

3629. Would you still be liable under the arrangements with the Water Committee?—Yes, it is a partnership created under Act of Parliament—a joint concern.

3630. To what extent would you consider that that liability would continue to obtain under those circumstances?—Woodstock would be unable without the consent of the others to provide, either for the present or the future, an independent supply, they would be bound by the terms of their agreement.

3631. I am not sure how much you pay for water to the Committee of Management?—The last was £5,738 5s. 3d., total £19,498.

3632. That sum is last year's contribution that Woodstock made to the revenue of the Water Committee, and you don't consider that you could get out of that payment even if you got an adequate supply of water from another source?—Not without the consent of the others.

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3633. So that it means that you cannot get an independent supply at all without the consent of the others?—Yes, we can, but we must pay that amount.

3634. Has any basis been arranged upon which such a payment would be made?—It has not been discussed.

3635. That would be a matter of arbitration between you and the Water Committee?—Not arbitration, but a matter of settlement. Because arbitration would imply that one of the parties could get out of their contract, but this is a partnership created by Act of Parliament, and no one party could get out of it without the consent of the other, besides we would have to consult our creditors; for instance the Standard Bank might not agree to it, and we are debtors jointly and severally.

3636. *Dr. Gregory.*] But the Act provides no means by which one of the four parties could withdraw?—No.

3637. The Act as good as says, "once in always in"?—I take it it would involve an amendment of the Act.

3638. Even if you got the consent of the other parties?—Yes.

3639. *Chairman.*] We find that in 1900 the people in Woodstock began to think about getting an additional supply of water, and that in consequence £446 was spent in that year on the Oliphant's Hoek Scheme, what was that spent on?—I think it was in connection with some surveys.

3640. Was it at the instance of the Woodstock Council?—Yes; Mr. Behr would be able to give you all the information.

FRIDAY, 25TH APRIL, 1902.

Present:

Hon. Sir BISSET BERRY (*Chairman*).

Dr. A. J. GREGORY.
Dr. A. J. ANDERSON.
Mr. LAWRENCE.
Mr. T. N. DYER.
Mr. W. E. GURNEY.
Mr. T. STEWART.
Mr. J. E. R. DE VILLIERS.

Mr. George Conrad Behr examined.

Mr. *G. C. Behr.* 25th April, 1902.

3641. *Chairman.*] Your name?—George Conrad Behr.

3642. What is your profession?—I am an auctioneer.

3643. You are residing in Woodstock, and a member of the Woodstock Council?—Yes, I have been residing there for the last 23 years; I have been connected with the Municipal Council for 20 years, and have been Mayor for four years.

3644. When did you cease to be Mayor?—In August last, when Mr. Moore succeeded me.

3645. We had your Mayor yesterday, and we got from him a good deal of information that we required on a great many points; we do not propose to take you over all that ground again—we have exhausted the information required under the first five headings of the subject of inquiry, viz.:—"Area," "Population," "Constitution," "Finance," and "Loans"; so that we can at once proceed under the heading No. 6, viz.:—"Water Schemes."—I wish to refer to the evidence given by our Mayor yesterday; according to the report published in the newspapers it would appear that he stated that the loss of £5,000 which resulted from the water was for one year, whereas it extended over five years.

3646. We will ask you some questions on that now?—Yes.

3647. We had from the Town Clerk of Woodstock statements of receipts and expenditure for the five years, beginning with 1897 and ending with 1901, and from these various statements an abstract has been made out, a copy of which I put before you?—Yes.

3648. Well, now you will see that the receipts for the whole of the five years are totalled in the last right-hand column of the Receipt Abstract, and one of the sources of receipt you will see there under "Water Supply"?—Yes.

3649. If you look along towards the right, you will see the revenue derived by the Municipality of Woodstock from the sale of water for the years 1897, 1898, 1899, 1900 and 1901 amounted to £15,861 18s. 9d. ?—Yes.

3650. And then if you look on the other side of the Abstract—the Expenditure side—under the heading of "Water," you will see that the expenditure for these same years amounted to £19,498 2s. 4d., and just below that line you will see the "Water Plumber," with an expenditure for the same period of £2,640 15s. ?—Yes.

3651. Have you anything to say about these figures which show an excess of expenditure over revenue of £5,200?—On the credit you will see "Plumber's Receipts" amounting to £1,237 9s. 2d., and this £5,000 is spread, of course, over all these years, but the statement I read this morning in the paper led one to believe that the loss occurred in one year, whereas it is spread over the whole of the five years.

3652. And I suppose it is a loss that the Town Council deplores?—Yes.

3653. And you are taking steps to remedy that?—Yes, we have raised the water charge. There is an open flow in Woodstock and only some people are supplied by meter. We found that according to the Act they were entitled to take up to 50 gallons, which is their minimum supply, and as a matter of fact they were using more and paying the same.

3654. You will notice the loss begins by means of this statement? In 1897 the receipts are put at £2,525 10s. 8d. and the expenditure at £2,832 5s. 2d.?—Yes, that is so; that is quite correct.

3655. Was that brought to the notice of the Board?—Yes, we have been trying in all manners of ways to get at it. It was not a very big loss at first and knowing that we had no underground drainage, and knowing that if the inhabitants were not debarred from using the water they would keep their houses much cleaner, we allowed it, but the loss afterwards became rather large.

3656. Did you discover any irregularities on the part of the consumers?—Not exactly; only that they were using more water than they were paying for.

3657. That is an irregularity?—Yes.

3658. And you are taking steps now?—Yes, we have been putting meters, and those who have no meters must pay a fixed charge for a fixed quantity whether they use that quantity or not.

3659. You are now applying a remedy?—Yes.

3660. *Mr. Gurney.*] As a matter of fact wages to the Plumber and his staff figure under "Wages" and not under this heading of £2,640?—Well, the Plumbers are there to make connections for which the owners pay.

3661. But the salaries of the Plumber and his men are included under this heading of "Wages"—£20,425?—No, it comes under the heading of "Water Plumber"; I believe the figures given under that heading really represent what has been spent under that department.

3662. You are aware that a Government Officer was appointed and made an investigation into the affairs of your Council about August last?—Yes.

3663. And he called attention to the fact that the Plumber and his staff were charged under wages and not under this heading of "Plumber," which he took included material, and that secondly the loss was not only £5,000 but somewhere nearer £10,000?—In the Plumber's department?

3664. On the water question?—I don't know.

3665. *Chairman.*] That was not brought to your notice?—No, but it may have been in the report.

3666. *Mr. Gurney.*] But you have overlooked that?—I don't recollect that.

3667. You don't recognise that the expenditure figuring as "Water" and "Water Plumber" did not include the wages of the plumber and his staff?—No.

3668. But in the report, this Government officer drew the attention of the Council to these matters, and also to the fact that the loss had been going on for five years?—In the Plumber's department?

3669. On the water?—Yes.

3670. And he told you also the causes of the loss in his report, I think?—It may be.

3671. But up to that time had the Council made any attempt to avoid this loss? Oh, yes, they had meters placed, and they also raised the price.

3672. At that time?—I think we received the report on the 8th October of last year, and the investigation was up to the 30th June, 1901.

3673. Was it not subsequent to the investigation, if not subsequent to the receipt of the report, that the Council took action in the matter?—Yes.

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3674. But until then the loss had really been allowed to run on for five years?—Yes; we have tried to check the waste in all manner of ways, but our staff was not an up-to-date one.

3675. As a matter of fact it was reported at that time that a great number of meters had not been recording for months, perhaps years?—Yes.

3676. And it was the duty of the plumber to have put them right?—Yes.

3677. So that it was really largely due to want of organisation?—Yes.

3678. But all that has been put right, and you are expecting a profit this year?—Yes.

3679. *Chairman.*] Now, Mr. Behr, were you Mayor of Woodstock in 1900?—Yes.

3680. You had been Mayor for a year or two before that?—Yes.

3681. Then you were Mayor when the Cape Districts Water Company ceded their rights, obligations and duties over to the Joint Committee?—Yes.

3682. The proposal to take over the old Company as a going concern emanated from the Municipality?—From Claremont and Woodstock.

3683. And subsequently Rondebosch and Mowbray fell in with your arrangements?—Yes.

3684. What was the date on which you finally took over that concern?—1st January, 1899.

3685. And from that time until now the Joint Committee has had the control of the distribution of water in your area?—Yes.

3686. Now how long was it after the 1st January, 1899, before the people of Woodstock began to complain of shortage of water?—That has been within the last few years.

3687. Well, was it in 1900?—Complaints were made even before we took over the old Company; and the old Company would not order new leadings or do anything because we had given them notice to take over the water.

3688. So that even in the days of the old Company, Woodstock made complaints in connection with the supply of water?—Yes.

3689. But the Company would give no redress?—They said we must go on with the arbitration.

3690. At that time had you been looking about for a further supply of water?—Since I became Mayor, and I was on the Committee of the Arbitration proceedings.

3691. Were you on the Arbitration Court?—No. I was one of those appointed by the Council to serve on the Committee in order to watch Arbitration proceedings, but I was not an arbitrator. I came to the conclusion that the Company would not supply more water because they had not any more to give, and that is why we thought that it would be as well for us to look further afield for more water, especially as we had the drainage scheme coming on.

3692. That was the first hint that you had that there was really not water enough?—Not to supply the four Municipalities.

3693. In consequence of that in 1900 you took the first steps?—Yes.

3694. Now you will see from the abstract of expenditure which I put into your hands, under the reading of "Oliphant's Hoek," near the bottom of the column and under the year "1900," an expenditure of £446 0s. 9d.; can you tell me what led up to that?—I was first approached about the farm Oliphant's Hoek in 1899.

3695. Let us be quite correct about the dates, Mr. Behr?—Yes, it is quite right; it was in May, 1899, that I was first approached.

3696. That was about four months after the Joint Committee of the four Municipalities came into existence?—That is so.

3697. Are you sure they started their control from the 1st January, 1899?—Yes, I am quite sure, and when I was approached I summoned a Council meeting and we decided to purchase the place. This definite proposal was made to me on the 20th March, 1900, but negotiations were really pending from May, 1899.

3698. Negotiations with whom?—Mr. Mostert.

3699. Who is Mr. Mostert?—The man who owned the farm Oliphant's Hoek.

3700. Is that the farm known as Le Roque?—Yes, that is the name of the farm as a whole, but it has been divided into four parts, and each has a separate name. One is called Tiger Kloof, another is Meerluts, and so on.

3701. In the diagram that we have here, there is a farm indicated under the name La Roche, is that the same?—Yes, that is the farm.

3702. It was sub-divivided into four parts?—Yes.

3703. And Mr. Mostert is the owner?—Yes, he is the owner of one-fourth part.

3704. And then he approached the Council?—Yes, first in 1899.

3705. Did he make an offer to the Council?—He approached the Council and informed them that there was a quantity of water which was permanent and which would be sufficient to supply Woodstock with; I went out there with our engineer and after I saw the place I made up my mind that I would certainly advise the Council to purchase the farm. Mr. Mostert wanted £30,000. £25,000 for the water rights, and £5,000 for the farm. The water rights include the riparian rights down to the Berg River. I have got a tracing here of the farm, which I will put in if it is of any use to the Commission. [Tracing put in.]

3706. Will you look at the map which was supplied by the Surveyor-General, and from which it appears that the farm you indicated on your tracing appears to me somewhere near the bank of the Wemmer's Hoek River?—Yes.

3707. This river rises in the French Hoek mountains, then passes Le Roque farm and lower down passes some other farms until it meets the Berg River?—Yes, but the Wemmer's Hoek River really starts from Coma Drift; all the tributaries of the Oliphant's Hoek River join at Coma Drift.

3708. What is the name of the main stream?—Wemmer's Hoek River.

3709. Now, which of the four parts of the farm was Mr. Mostert's?—The extreme west in the corner; it is a natural basin and surrounded by mountains, and the Tiger Kloof River comes into this farm.

3710. So that you are really purchasing the easterly half of the farm Le Roque?—Yes.

3711. And all the water rights of the stream running from north to south through that farm?—Yes.

3712. When did Mr. Mostert become the owner of that piece of ground?—I could not say.

3713. And what riparian rights did he propose to sell to you?—All the rights down to the Berg River. There are about ten or eleven farms below the Oliphant's Hoek, and the owners of all these farms have renounced their rights to the water.

3714. But has Mr. Mostert acquired these?—He sold them to us.

3715. When did he come into possession?—We purchased from him, but I cannot say when he came into possession. All these water rights are registered on the title deeds.

3716. When you went there in May, 1899, did Mr. Mostert have those rights in his possession?—He must have had, otherwise he could not have offered them to us.

3717. Did you take any steps to find out whether that was the case or not?—No, I thought it was time enough later on to see whether all these rights were registered before we paid him. We would see that all these rights were registered as servitudes on the title deeds.

3718. At that time, in May, 1899, did Mr. Mostert shew you any agreement that he had entered into with the owners of the riparian rights?—He did not shew me any agreement, but he told me that he had those rights, and he must have had them, because we have had them all registered since.

3719. After arranging with Mr. Mostert, you have had the servitude of the water right engrossed on the various title deeds?—Yes.

3720. Are you satisfied that that has all been done?—Yes; Messrs. Van Zyl & Buissinne were the attorneys for the vendor, and we also had Mr. Moore at that time (acting for the Council), and I daresay they have seen to it.

3721. How many proprietors are there between your farm and the Berg River?—Ten or eleven farms.

3722. And you are certain that Mr. Mostert had legally acquired the rights and sold them to you?—Yes.

3723. That was done in May, 1899?—No, in March, 1900.

3724. Your negotiations had been pending from May, 1899, for nearly twelve months before the purchase was concluded?—Yes, we purposely protracted these negotiations, so as to enable us to gauge the flow of the water. We did not wish to ask him for an option because in that case he most likely would have said "Give me £500 or £1,000 for the option," but we kept him on the string.

3725. Is Mr. Mostert a resident in Woodstock, or is he a farmer?—No, he lives in Cape Town.

3726. Is he a farmer by occupation?—No, he simply owns the farm and I look upon it as a commercial speculation by Mr. Mostert.

3727. You think he acquired the property with the object of selling it to some Municipality?—I don't know; but it is clear that there must have been some agreement between him and the farmers lower down otherwise he would not have been able to sell those rights to us.

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3728. Did you make any inquiry as to what Mr. Mostert had paid for the farm and the rights?—No, but I am quite satisfied that the £25,000 was not too much, and I advised the Council to take it otherwise I would float a syndicate.

3729. You don't know what Mr. Mostert paid?—I was afterwards told that he paid something like £12,000 altogether for the farm and rights. I heard this after the sale between us had been concluded.

3730. When did you first moot this matter with the Municipal Council?—In May, 1899, when it was first offered to me.

3731. May I just ask you first whether you want these papers back which you have put it?—No, I don't require them.

3732. In May, 1899, you first brought this matter to the notice of the Council?—Yes.

3733. And in March, 1900, the arrangement was concluded between the Council and Mr. Mostert?—Yes.

3734. By which the Council agreed to buy the easterly portion of the farm Le Roque and the water rights which had been ceded to Mr. Mostert down to the Berg River?—Yes.

3735. Did you make any inquiries as to whether any of the farms lower down are using the water along the Berg River?—I made enquiries at the Paarl and I found that the only people who were using the water there were Messrs. Mossop and Frater for wool washing purposes.

3736. How far is it between the debouchure of the Wemmer's Hoek River into the Berg River, and the Paarl?—The stream empties itself into the Berg River about 1½ miles from the bridge.

3737. How far is it from the Paarl to the spot where the smaller stream empties itself into the Berg River?—I could not say.

3738. Are there farms between the two places?—There are farms, but the owners are not using the water; the river is low, and if they want to irrigate their lands they would have to pump the water.

3739. Still as they are riparian owners, they would have riparian rights?—I don't know what is meant by riparian right. I don't know whether a farm which borders on a river and does not use the water could be said to possess riparian rights.

3740. And you don't know how far these farmers, assuming that they have these riparian rights, would fall in with your plan?—I spoke to a well-known surveyor at the Paarl—perhaps it is just as well not to mention his name now—and he informed me that there was not a single farm using the water, as they were all getting their water from the Paarl Rock, so I was perfectly satisfied.

3741. But a man, although he does not use the water, may still have property in it?—His boundary would be the river, but suppose he does not use it for 33 years.

3742. But in this country is it not generally understood that if a river passes alongside a man's farm he has a right to the water in that river?—Supposing he does not use it for 33 years, what then? But, if this right were established and the water was taken out of the Berg River, it would not in any way interfere with the Oliphant's Hoek stream.

3743. No, but would the taking of the water out of the Oliphant's Hoek River interfere with the rights of the people on the Berg River?—No, we can construct a retaining wall, and will then be able to store 280,000,000 gallons.

3744. What we have to consider is this; how far the natural flow of the Berg River is to be interfered with by your proposal to impound the water from the Oliphant's Hoek River?—The only answer I can give to that is that suppose the right is established by these people on the Berg River, we must allow a certain amount of water that rises in the Oliphant's Hoek River to flow down the Berg River, then we are prepared to do so as it will not interfere with our scheme.

3745. You are prepared to allow the ordinary natural average flow to run down the Berg River?—Yes, it is the same with the Albion Spring. There they have to allow 500,000 gallons of water to run down into the river.

3746. But you are aware that the riparian people got an interdict to let that water go down?— Yes; under which 500,000 gallons of water run into the Liesbeek River, and we will allow the whole of the Oliphant's River to run into the Berg River.

3747. Then do you claim all the storm water?—Yes, the quantity running over the weir in winter must be something enormous. It has a catchment area of 34 square miles.

3748. Then there would be more storm water falling than you would require?—Yes.

3749. And the reasonable share of the storm water, which ought to flow into the Berg River, would still go down also?—Yes.

3750. And you are prepared to allow the average summer flow to go down as well?—Yes, it must be proved that they have the right to that. They might set up all sorts of rights.

3751. That would be a question for the lawyers, I presume?—Yes.

3752. Then in March, 1900, you completed these arrangements with Mr. Mostert?—Yes.

3753. You did not consult the ratepayers at that time about this purchase?—We had no time; I believe that Mr. Mostert had an idea of approaching Cape Town, and we had been keeping him on the string for a very long time, so he gave us 48 hours to decide. I called a Council meeting, and we decided to purchase.

3754. How long did you keep him on the string?—From May, 1899, to March, 1900.

3754(a). Could not something have been done during the previous 10 months to obtain the consent of the ratepayers?—Our Engineers were busy taking the levels.

3755. Did he get rusty?—Yes.

3756. Under what powers did you propose to go outside your Municipality to purchase land and water rights?—Under the Act of 1882.

3757. Which provides that the ratepayers must be consulted?—Although no actual meeting was called they were perfectly aware of what we were doing; we told the majority of the influential ratepayers, and when we issued the debentures and paid the £25,000 we advertised in the *Cape Times* and in the *Government Gazette*; no objections were raised and the debentures were issued.

3758. Nothing was done during the twelve months preceding March, 1900. You did not get the concurrence of the ratepayers during that time?—Our engineers were busy contouring the valley and taking the gauging, and we were not prepared to go to the ratepayers.

3759. But had all your arrangements been completed in 1900?—No.

3760. Then for all you knew you might have been buying a "pig in a poke"?—No, we knew what we were doing.

3761. The engineer had not reported?—He had reported favourably.

3762. But had he completed his survey?—No, and before you can go to the ratepayers you must have your plans and specifications ready.

3763. Then you were not ready with your plans and specifications?—No, not at the time of the purchase.

3764. You issued to Mr. Mostert twenty debentures each in the sum of £1,000?—I think they were £500 debentures, at any rate for £20,000.

3765. Have you got a copy of that debenture form?—No, but I think I could get a blank form for you in the office.

3766. Is it the same as the ordinary form that you issue for a debenture?—No, it is differently worded. I was advised at the time that instead of paying the whole amount in cash we should pay £5,000 in cash, and that the £20,000 would be like a mortgage bond or a promissory note, and I quite agree with what the Mayor stated yesterday, that in that transaction we considered that we were not raising a loan. It would have been legal.

3767. In what way would it have been legal?—I don't know.

3768. You tried to commit the Municipality to that purchase?—Well, we were perfectly prepared, if the ratepayers did not confirm the action of the Council, to take the whole thing into our own hands, and even now I could find sufficient capital to float the whole concern.

3769. You gave the debentures in the name of the Council?—We did, and we advertised that we intended doing so, and no objections were raised.

3770. Do you still justify that?—Yes.

3771. Don't you think that the whole meaning of the Municipal Act in connection with the raising of moneys by Municipalities is just to prevent that kind of thing, and it moreover specifies that in the matter of raising loans the Municipality shall first consult the ratepayers in a certain fashion?—If we were to raise money for the purpose of permanent works then I think it is the duty, according to the Act, for the Mayor to call a meeting of ratepayers and consult them.

3772. You still hold that you have not raised that £20,000?—No, it is part and parcel of the purchase. It is in the same way as a man buying a house and taking a mortgage bond on it for the balance of the purchase price.

3773. Who has to pay the purchase amount?—The Council; it runs for five years.

3774. Then you admit that you committed the Council to the arrangement?—Oh, yes.

3775. And you did so without consulting the ratepayers?—Yes.

3776. As you are really bound to do by the Act?—We had no time to consult them in the purchase of the farm.

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3777. Then you admit that you did something that you would rather not have done?—We had no time; and I did not want the opportunity to slip from me. A certain amount of pressure was brought upon us by Mr. Mostert to act at once, and we decided to purchase.

3778. Could you not have obtained a supply elsewhere?—I know of no other supply.

3779. Were these debentures entered in the Municipal books and are they transferable?—Yes.

3780. And they were to be redeemed in five years' time?—Yes.

3781. Out of a loan?—Out of a larger loan, that is to say, the £300,000 which the ratepayers have now given us the power to raise, in order to enable us to bring the water into Woodstock.

3782. Even if the ratepayers gave you power to raise a loan for the Waterworks, the Colonial Secretary has to approve of the scheme?—Yes, according to the Public Health Act.

3783. You practically accepted the scheme without submitting it to the Colonial Secretary?—We have done so.

3784. He has not approved of it?—On account of this Commission.

3785. But did you submit it before March, 1900?—It was not ready then.

3786. So you committed the Woodstock Council to a certain water scheme before putting your application in for the loan on account of these Waterworks for the approval of the Governor in Council?—We purchased the farm.

3787. That practically committed Woodstock Council to the scheme?—Yes.

3788. What interest do these debentures bear?—Four per cent.

3789. And where is the interest payable?—At Woodstock.

3790. At the Town House?—Yes.

3791. Has your Engineer now reported on that scheme?—We have our Engineer's report on the scheme.

3792. What Engineer was that?—Mr. Menmuir.

3793. Has he been some time in your service?—I think for about eight months.

3794. Is that the same gentleman who went up with you the first time to inspect the place?—No that was Mr. Gray.

3795. Has he reported on the scheme?—Yes, at the time as far as the possibilities of the farm were concerned.

3796. Just a flying survey report?—Yes.

3797. And since then Mr. Menmuir has been making up fuller details?—Yes.

3798. Has he gauged the flow of the river?—Yes.

3799. And has he made a report under that head?—Yes.

3800. And he has brought you the plans and specifications?—Yes.

3801. And these are in your office?—We have them—yes.

3802. Could they be shewn to us?—Yes.

3803. We should be glad if they could be placed at our disposal, and we will take care of them in the meantime?—Yes, they will be supplied.

3804. Perhaps you would not like us to get the originals; in that case could you supply us with copies?—I think we have copies, and I will endeavour to supply you with them.

3805. And you have paid no interest on the purchase money?—No, we are barred by the Supreme Court.

3806. You are interdicted from paying the interest?—Yes, until we can get the consent of the Colonial Secretary.

3807. And that consent is awaiting the report of this Commission?—It appears so.

3808. That is what you say?—Yes.

3809. Now, have no objections against your scheme been lodged by any of the riparian proprietors along the Berg River, or by any township or public body?—We have received a letter from the Paarl in which we were notified that they intend to interdict us from using the water.

3810. And they do that as riparian proprietors on the Berg River?—I suppose so.

3811. Has any other letter been addressed to you?—I think the Piquetberg people have also written. The Paarl people started the thing; they had the chance of acquiring this very same farm some time ago and they let the opportunity slip, and now that we have bought it they want it too, and we have also received a similar communication from Piquetberg.

3812. How do they come in?—I don't know, I am not acquainted with that part.

3813. Are they situated on the Berg River?—I think so, but I am not sure.

3814. Is it perhaps the Divisional Council of Piquetberg that has made the complaint?—Yes, I think it is the Divisional Council.

3815. And it would seem that the proprietors all the way down the Berg River are taking umbrage at your appropriating the water of the Oliphant's Hoek scheme?—It appears so.

3816. And how about the threatened lawsuits by the riparian proprietors along the Berg River?—I don't think much of those lawsuits.

3817. They only try to bluff you?—Yes.

3818. Perhaps to get another £20,000 out of you?—I don't know.

3819. I suppose before you arrange with them you will consult the ratepayers?—Arrange with whom?

3820. The claimants?—They will have to prove that they have a right to the water.

3821. How much water do you contemplate to secure from this scheme?—Well, in the summer time about February, which is the driest season, we found that about two million gallons were running over the weir.

3822. All this is to run down into the Berg River?—Yes, that is what they say.

3823. But that is what you are prepared to do, you say?—Yes, if it is proved that they have a right to the water.

3824. Then we may take it that all that may have to go?—Quite so; but the question is, would they be entitled to the whole of it.

3825. In any case, you say you are prepared to let it go?—The question is, what portion they would be entitled to.

3826. How much of it do you propose to store?—280,000,000 gallons.

3827. Then you might find yourselves at the end of the winter—the rainy season—confined to 280,000,000 gallons, and unable to put any more water in until the winter rains again, is it not so?—If the whole flow has to be taken away then it would be the case.

3828. So that your 280,000,000 storage would be your six months' supply?—It would be. But we reckon that if we store for about four months it would be sufficient.

3829. Then your 280,000,000 gallons will be a four months' supply?—Yes.

3830. That of course would be adequate for the present population of Woodstock and for the prospective population as well?—Yes. I was reading over the report of Mr. Stewart on the Steenbras River scheme, and I found that in the month of February 490,000 gallons were running over the weir, and then it also appears that at the Steenbras River they would have to be dependent upon a storage reservoir.

3831. Now, when you began to think about this scheme, what was your idea about the relationships that ought to continue between that scheme and the Joint Committee?—None whatever. When we were first approached about the farm we wrote to Claremont asking them whether they would join us in the purchase, but they simply recorded our letter and did nothing, so we purchased it alone, so as far as I am aware no offer has been made to the Water Board.

3832. That is to say, you went into this scheme without any intention of distributing the water to Woodstock through the Joint Committee?—None whatever.

3833. In other words, you believed that you were entitled to bring to Woodstock a supply to the inhabitants there without consulting the Joint Committee?—That is so; they had no water to give us this last summer, and Cape Town came to our assistance, which saved us from a water famine.

3834. That means that you had distinctly considered that you were entitled to work your water arrangements independent of the agreement you had entered into with the Joint Committee?—Quite so.

3835. And for which latter you signed an obligation to the Standard Bank for £75,000?—For £300,000; that includes the purchase of the Waterworks; the four Municipalities signed that.

3836. You signed that jointly and severally?—Yes.

3837. And are you jointly and severally liable for the £300,000, or are you only liable for one-fourth part of it?—I am not certain, but I am under the impression that it was jointly and severally. The award was £219,000 or thereabouts, and we arranged for £300,000 so as to enable us to augment the supply and build an additional reservoir.

3838. And of course that has been raised as borrowed money?—Not up to £300,000.

3839. Up to how much?—I should think it will be up to about £280,000 when the reservoir has been completed.

3840. You got the money from the Standard Bank?—Yes, at five per cent.

3841. Has the Standard Bank addressed any communication to you on the subject?—On what subject?

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3842. On the subject of this loan?—Not that I know of.

3843. And has the Standard Bank not notified you that although the four Councils have borrowed the £300,000 Woodstock would be limited to £75,000?—No.

3844. Or do they say that you are jointly liable for the whole?—No, I think the four Mayors signed the document to allow an overdraft up to the amount of £300,000.

3845. And does the Bank send you an account?—We pay interest every month out of revenue.

3846. The Joint Committee?—Yes.

3847. Has the Bank given you any indication of your liability as the Council of Woodstock?—No.

3848. You receive no communications from them, from time to time?—No, the undertaking is a good one.

3849. I want to know the relationship between the Bank and your Council?—I don't remember any communication having been sent to us by the Bank.

3850. Has your Council given a guarantee for the whole amount, or a portion of it?—Not that I am aware of.

3851. In the balance sheet sent to us here it is referred to?—I think it is just a debit and credit entry.

3852. I will read to you what the Secretary says in the account sent to us, as follows:—"Woodstock acquired by Act of Parliament in 1898 a one-quarter share interest in the Cape Town Districts Waterworks Company, now known as the 'Suburban Municipal Waterworks.' The cost was £219,599 6s. 2d., for which Woodstock's share is £54,899 16s. 7d. A loan of £300,000 from the Standard Bank was arranged jointly by the Municipalities interested, of which the cost of purchase, namely, the sum of £219,599 6s. 2d. only, was drawn, leaving £80,400 13s. 10d. still available. This service loan is now being expended in the construction of a reservoir; no income has been derived from the water, and I cannot state whether any may be expected in the future or not, but it is more than paying expenses of management." Well, now, some communications must have come to the Council?—I daresay it was discussed in the Council when it was decided that the Mayors of the respective Municipalities should sign this document.

3853. The Secretary could not furnish this information if it were not in black and white somewhere on your books?—That is so.

3854. What I wanted to get at is this: to what extent has your Municipality arranged to raise this £300,000 placed to your credit in the bank, did you raise only to the extent of £75,000 or to the extent of £300,000, and as your credit is being drawn upon, does the bank send you any communication to that effect?—Any communication which is sent goes direct to the Water Board, which consists of eight members—two from each Municipality.

3855. Well now, do you consider that you are liable to the Joint Committee for any monies?—How; do you mean in liquidation?

3856. Look at the abstract I gave you, and you will see that in 1901 you paid for water £5,738 5s. 3d., and in 1900 you paid an amount of £4,683 18s. 9d. To whom did you pay the money?—To the Water Board.

3857. For water supplied by meter?—Yes.

3858. Suppose that you don't take a supply, what would happen to you then?—The other Municipalities would take it. Under the agreement we have to be supplied with a minimum of 50,000 gallons and up to that extent I think we would be bound to take the water.

3859. You are bound to pay for that?—Yes.

3860. Whether you take the water or not?—Yes, for the 50,000 gallons.

3861. You hold that it depends upon yourselves and Woodstock whether your connection with the Joint Committee will exceed the 50,000 gallons of water or not?—Yes.

3862. And that you could stop the water and the Joint Committee would lose their revenue so far as Woodstock was concerned?—Yes, to a certain extent.

3863. But you can cut off the connection?—Yes, but the Joint Committee can always dispose of the water elsewhere.

3864. Supposing the Joint Committee could not dispose of it elsewhere?—They will have no difficulty whatever.

3865. But suppose they could not, and that they were short of revenue?—They can't supply all the demands now, they have had to stop a certain quantity supplied to the Railway Department.

3866. I daresay that is so, but we want to get at the bottom of the position. Supposing that you cut off the connection, could you thereby get out of your liability to the Joint Committee?—Yes, if we went into this scheme.

3867. You mean that you can sever your connection with the Joint Committee by going into this Oliphant's Hoek Scheme?—Well, I don't know, I suppose another Act would have to be brought in to allow us to retire.

3868. Then it is your opinion that you cannot sever your connection without an Act of Parliament?—No.

3869. And yet you went in for a scheme, the whole basis of which was that you should sever your connection?—They could not give us sufficient water. The business of the Town was retarded. In January last we passed 155 plans—some being for the construction of four or five houses—we could not guarantee the water to these people, and I maintain that thereby the business of the place was retarded.

3870. Take the £5,378, last year's expenditure, suppose that the Oliphant's Hoek scheme was put into full swing, do you hold that you could get out of the payment of that £5,378?—Yes, because we are not taking the water, but we would have to pay for the 50,000 gallons minimum supply.

3871. Have you considered any other scheme?—No.

3872. Suppose that the Governor in Council refused to sanction the loan for carrying out that scheme of the Oliphant's Hoek, what is going to happen?—I think then the Government had better step in and take over the whole Municipality, and we will retire.

3873. But the Governor is bound to satisfy himself that it is the best possible scheme?—Oh yes.

3874. And suppose he cannot be satisfied?—I cannot see how he could not be satisfied.

3875. Suppose he is advised that it is not the best scheme?—I don't know.

3876. Have you no proposal to submit in connection with it?—No.

3877. I think you stated a few minutes ago that the Council could have been released if they had liked from any liability it had on these debentures?—Yes, but I don't know what view the ratepayers will take of it now, as they have confirmed the action of the Council. I admit it is rather a complicated business.

3878. But suppose again that the action of the ratepayers and of the Council is not confirmed by the Governor in Council?—Then I don't know what is going to happen.

3879. You have not allowed yourself to contemplate the possibility of giving up that scheme?—As far as the Council and the ratepayers are concerned, no. We can clearly see that unless we get the water there will be a water famine. If all the available land in Woodstock is built up, we will have a population of something like 80,000, and they have to be supplied with water and a drainage scheme.

3880. At present you have some 3,949 houses in Woodstock, and you are supplying 2,194?—Yes, I think that is so.

3881. It therefore follows that your supply is not nearly adequate?—No, it is not.

3882. But would it not take three or four years to complete your scheme?—No, it would not take very long, we have not many cuttings to make, and we could start at both ends.

3883. But you will have lawsuits?—They would have to prove that.

3884. But an interdict may be granted against you?—Yes, but then we would have to go into the principal case.

3885. That would cause delay?—Yes, it would.

3886. We understand that you are in a difficulty; you admit that yourself. Now would it not be possible for some public spirited men in Woodstock to take up these debentures and hold them, pending the decision of the Governor in Council?—We have thought of that.

3887. I suppose the interdict does not prevent Mr. Mostert from disposing of these debentures, and therefore could it not be done?—The matter is in the hands of the legal authority, and we are being sued by Mr. Mostert for the interest on the debentures for six months, and if Mr. Mostert gets judgment in his favour, I suppose he will take out a writ.

3888. And then?—I don't know.

3889. But he could not touch Municipal property; is he suing the Council or the members of the Council?—The Council.

3890. And those who signed the debentures would be held liable under the terms of the Act?—I don't know, since the ratepayers have ratified the action of the Council I take it that they are liable just as much as the Councillors.

3891. Does it not only amount to a concurrence in the action of the Council and not a ratification, the whole thing being dependent upon the decision of the Governor in Council?—That is a legal point that I am not prepared to discuss.

3892. At all events you are not in a very serious difficulty at present?—No.

3893. *Mr. Lawrence.*] When is the case coming on?—1st of May.

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3894. *Chairman.*] You have no evidence to give to the Commission on any other scheme?—No, the only other scheme I know of is the Steenbras River scheme.

3895. You have been there?—Yes.

3896. What do you think of that?—Well, I don't like to express an opinion, but the water is very discoloured.

3897. Were you there before you went to Oliphant's Hoek?—No, I went to Oliphant's Hoek first, and then to Steenbras.

3898. So that your ideas of the Steenbras River scheme were somewhat modified by what you had seen in the other direction?—Yes.

3899. When did you visit Steenbras River?—Just before the case came on between the Government and Struben. I don't know the exact date, but it was in the summer time, either the end of 1900 or the beginning of 1901.

3900. About fifteen months ago?—About that, but I am more or less guided by Mr. Stewart's report. There is a large area there for conserving water, but the water is as brown as a berry, whereas at Oliphant's Hoek it is as clear as crystal.

3901. The Oliphant's Hoek scheme would not be sufficient for Woodstock?—Oh, yes, we shall have water to spare.

3902. How much?—I have put down 500,000 gallons for Woodstock a day, 300,000 gallons for the Cape Government Railways, 100,000 gallons for the Breweries, 5,000 gallons for the Divisional Council and 200,000 gallons for Maitland and other villages along the road. And we have put down 100,000 gallons for applicants now refused.

3903. Where would they be placed?—At Woodstock.

3904. Is that in addition to the 500,000 you have already mentioned?—It appears so from these figures.

3905. Is that all?—Yes, it makes a total of 1,205,000 gallons.

3906. That is what you calculate would be the daily possible supply?—Yes.

3907. May I ask what you are reading from?—A memorandum which our Engineer prepared for me. I will put it in. [Memorandum put in.]

3908. If you get 500,000 gallons of water for Woodstock, and you have a population of 30,000, it would work out at about 16 gallons per head per day, and if your population increases to 80,000 then you would only have about eight gallons or less per head?—We could store much more water than that, I think we could have three storage places.

3909. How many days' water do you propose to store?—Ninety-three days; we have made provision for 280,000,000 gallons.

3910. And you think that would be sufficient for the present?—Yes, we could add on afterwards if we require more.

3911. But that is a very small scheme comparatively. In the future the Peninsula would want something like 10,000,000 gallons of water a day?—Of course we only look as far as Woodstock is concerned. We are willing to help our sister Municipalities, but still we look to ourselves first.

3912. Then is it not a fact that the approval of your scheme by the Governor in Council would militate against the construction of any large Waterworks Scheme for the supply of the whole Peninsula?—How is that to be managed?

3913. I am hardly here to answer questions; I am here rather to put them?—I don't know of any other supply.

3914. Would it not militate against a large scheme if every small Municipality had its own supply?—Our Municipality is not a small one; it is the third on the list, first Cape Town, then Port Elizabeth, and then Woodstock.

3915. But you could not call it a very large Municipality?—We could not hold more than 80,000 people.

3916. If you go in for your own independent water supply, may not Mowbray want to go in and detach itself from the Joint Committee, and then Rondebosch might want to do the same thing?—Yes, but in that case they would have to look for another scheme.

3917. *Dr. Gregory.*] You propose having this supply chiefly for Woodstock, Maitland, and the Railway?—Yes, and probably others who may require the water on the road. We thought that we shall be able to supply Durban Road and all the villages from Klapmuts and so on; the pipe track would cross at Simondium.

3918. I understand it is not only Woodstock but all these other places that you are going to supply from this source?—Yes.

3919. Have you had your gaugings taken from the River?—We have had some gaugings taken by a wooden gauge. We are erecting an automatic recorder, but it is not in working order yet.

3920. How long have you been gauging?—Nearly twelve months during the summer. Last year the weir was washed away.

3921. Could you furnish the Commission with these gaugings?—Yes, I think so.

3922. I notice here that your engineer states that during the dry season, on January 14th, it was running at a rate of six and a quarter million gallons per day, and that on the 5th of that month it was running at a rate of two and a quarter million gallons per day roughly. From your knowledge, do they represent the usual flow during the summer months?—The usual flow during the summer months could be safely put at two million gallons, and that would be under the estimate. I think it was after a rain that it registered six millions.

3923. So that your supply in the summer months, in the dry season, should be two million gallons if you took all the water, and you propose to store 280,000,000 gallons?—Yes.

3924. Now, what period do you take the dry season to cover?—From December to February.

3925. Not March?—Yes, I would say up to the 15th March.

3926. Then you reckon four months of the year?—Yes, but I think I should say from December to March, and that is four months.

3927. Then your storage water would be used during the four months?—No, according to the calculation we would have a flow in the river of 112,000,000 gallons.

3928. No, but you would draw on your storage water during the four months, that is what I mean?—Yes.

3929. Roughly speaking, you would be drawing 2,000,000 gallons per day from your reservoir, which, as at present contemplated, will store 280,000,000?—Yes.

3930. But it could be more, practically two and a half million gallons a day?—I don't follow you.

3931. You store 280,000,000 which is to be spread over 120 days, that would give you a supply of 2½ million per day?—Yes, that is so.

3932. So that you think during the dry season you could get 2½ million gallons a day without drawing on the River itself, and that if you drew on the River itself you would get another 2,000,000?—I think the springs could be opened up, and I daresay that a quantity of water is lost.

3933. I understand that you are certain of a supply of 2½ million gallons and a possible 4½ million gallons a day?—Yes.

3934. Then why have you been telling the Commission all this time that you would only be drawing your required 1¼ million gallons per day?—Well, that is the memorandum made up by the engineer.

3935. I have his memorandum here.—He will be better able to explain that.

3936. You state that you have about 32,000 inhabitants?—Yes.

3937. And your consumption of water in 1901 was 99,000,000 gallons and therefore that only gives a little over 8½ gallons per day for each inhabitant, taking the population at 32,000. That is extremely small?—Yes.

3938. So that when you get your drainage scheme you have to reckon on using at least 30 gallons per day?—No, I think 20 would be quite enough.

3939. Will you agree that 30 gallons is the usual experience of sewered cities?—I don't know.

3940. And to apply the usual experience to your town, you will find that at least 1,000,000 gallons per day will be required by the present population when your sewer is completed?—That is if the inhabitants are receiving only 30 gallons?

3941. Thirty gallons; your present supply should be about 1,000,000 gallons a day if you had sewers?—I suppose so.

3942. The forecast furnished by your Council is as follows:—At present you need for 1902 one-third million; in 1907, three-quarters of a million; in 1912, one and a quarter; and in 1942, one and three-quarter millions per day. Don't you agree that that is entirely unreliable?—I don't know, they have been calculating that.

3943. If your population in 1942 will number seventy or eighty thousand, and each one is to receive 30 gallons a day, it would work out to about 2,400,000 gallons per day. roughly 2½ millions, and if you took all the water that you could get, it would not do more than meet the needs of your own Council without supplying any outside authorities?—Yes, if the consumption is 2½ millions per day, but I must point out that I have been quoting a very low figure, as I don't want to exaggerate the thing, but if a careful record is gone into I think you will find that the average will be 3,000,000 gallons a day.

3944. Still, as the figures now stand, the Oliphant's Hoek scheme will only be sufficient to supply the needs of the Woodstock Council forty years hence?—The Engineer will be able to tell you that there could be three storage reservoirs.

3945. As at present contemplated, it may only supply sufficient for the needs of Woodstock; now, don't you think that if you are going to have a water supply, and to

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bring it to the Peninsula such a long distance, that you should get an adequate amount while you are at it?—I don't know, I think we shall have sufficient water there for Woodstock. Of course, I am not taking Cape Town into consideration nor the other suburbs, but I say if we have the water to spare, we will give it to them.

3946. In other words, you are only considering Woodstock?—That is all.

3947. Now, from a business and practical point of view, don't you think that it would be undesirable for each Municipality to have its own water scheme, and bring the water a very long distance?—Yes, but I am afraid that it will not work otherwise; there will be friction. I have noticed it on the Water Committee.

3948. *Chairman.*] Friction there now?—Not exactly friction.

3949. *Dr. Gregory.*] What does the friction arise from?—An inadequate supply of water.

3950. You stated that when you went into the Oliphant's Hoek Scheme you considered it to be as part of the augmentation provided for under the Water Board Act?—Oh, no.

3951. Will you state whether the payment of this will come out of the £300,000?—That is a proposed Municipal loan of £300,000. It has nothing to do with the Water Board. We have the sanction of the ratepayers to borrow £300,000 for the purpose of bringing this water into Woodstock.

3952. And will £300,000 entirely cover the expenditure?—I don't think it will cost as much; we have calculated freely, rather over than under.

3953. Does not a supply of $2\frac{1}{2}$ million gallons a day and a possible $4\frac{1}{2}$ million seem very expensive at £300,000?—We have worked it out and we find that we shall have a very large surplus, and we shall be paying 1s. where we are paying 1s. 6d. now.

3954. Is it not expensive as compared to other schemes?—I don't think so, for instance it won't cost as much as the Steenbras Scheme, as we have hardly any tunnelling to do.

3955. You say Mowbray Municipality are going in for the Steenbras River Scheme?—Yes, they have purchased it together with Rondebosch.

3956. They are in the same position as you are?—In a worse position.

3957. Supposing you take the scheme and Mowbray adopts the other scheme, then Claremont and Rondebosch would be left with the present Waterworks?—No, they would join Mowbray, and they have already consented to do so.

3958. Now, as quarter owner of the Waterworks revenue, how will you be affected by this scheme?—Well, I suppose we would have to arbitrate if we had to go out of it; we shall look to getting something out of it, because we maintain that our asset is a very good and valuable one, and if we are to retire we shall expect to be paid out.

3959. What do you think is the value of your holding now?—We will have to take into consideration the pipes which are in our Municipality—the price, less depreciation.

3960. What do you consider the value of your share now?—I have not gone into that matter, but I know it is a good one.

3961. At any rate, you expect to get something out of it?—Yes.

3962. Do you think that the other Municipalities would consent to pay you out?—If they are reasonable business men they must look at it on a commercial basis.

3963. With regard to the Berg River, what proportion of its flow is formed by the Wemmer's Hoek River?—I cannot see any difference between the two unless the latter runs swifter. I was at the bridge which is about one and a half miles off where the Wemmer's Hoek River empties itself into the Berg River, and I cannot see any difference.

3964. The Engineer says it comes to about one-tenth?—There are a good many other tributaries to the Wemmer's Hoek before it enters the Berg River. There is a good stream coming down the Hagel River, which joins the Wemmer's Hoek River, but these would not be affected by our scheme. Their contention is that we are taking water out of the Wemmer's River, and we say we are not, but we are taking water from our farm.

3965. *Mr. Gurney.*] As a matter of fact, in purchasing the Oliphant's Hoek with these water rights, the Council practically was aware of the illegality of these proceedings, but being a desirable thing they purchased?—We know that we should have consulted the ratepayers but we had not the opportunity.

3966. So that you knew you were taking a responsibiiity upon yourselves in doing that?—Yes.

3967. And one member of the Council objected to your doing this, simply on the ground of its illegality?—Yes, there was one, but I don't wish to go into that.

3968. *Chairman.*] At that time?—Yes.

3969. *Mr. Gurney.*] He dissented?—Yes,

3970. Then you advertised that you had purchased in the name of the Municipal Council of Woodstock the farm Oliphant's Hoek and the water rights, and that you were going to issue debentures for the £20,000, but the notice which you inserted in the *Gazette* led the people who saw it to believe that you were negotiating under the provisions of Section 146 of Act 45 of 1882, thereby professing that you were issuing these debentures under that section; the section of the Act reads as follows: "No proposition for borrowing money for any of the purposes aforesaid shall be adopted by the Council, unless a notice thereof has been published in the *Government Gazette* and also twice in some newspaper generally circulating in the neighbourhood, not less than one month nor more than three months before such proposition is adopted, stating the amount of the moneys proposed to be borrowed, and the purposes for which the loan is to be applied, and in case such loan is to be expended in the purchase of any land, works, or undertakings, specifying such land, works, or undertakings, and in case the loan is to be expended in the construction of works or undertakings, stating that the plans and specifications and estimate of such works, and the statement hereinbefore mentioned, are open for inspection at the office of the Council." So that when you were announcing to the public that you were issuing these debentures under Section 146 you were well aware that you were not complying with the Section?—Yes, we were aware of that, but we had not the time to consult the ratepayers, and so we purchased the land. We did it on a former occasion when we purchased a place for £250, and afterwards sold a part of it for £20,000.

3971. And you are aware that you were making yourself personally responsible?—I am perfectly prepared to take the responsibility, but the ratepayers have consented to take the thing; they are keen on having it.

3972. Until they did so you held yourselves personally responsible?—Yes.

3973. And now that the ratepayers have consented, you feel that you are practically relieved?—I don't care which way it goes.

3974. *Dr. Gregory.*] You have consulted the ratepayers and obtained their sanction to this scheme now?—Yes, we had a very large representative meeting in St. Mary's Hall.

3975. *Mr. Gurney.*] Assuming, with regard to the purchase of this farm, that in consequence of any arrangement suggested by this Commission being afterwards carried out abundance of water was forthcoming, the ratepayers of Woodstock would be perfectly satisfied so long as they could get a bountiful supply of water, irrespective of where it comes from?—Well, I think they would prefer to get it from Oliphant's Hoek, because the profits which will be derived from that scheme will afterwards reduce the cost of the water. There is no tenants' rate in Woodstock, and we have never gone beyond 2d. in the £ for the owners' rate.

3976. One could understand perhaps that as the Councillors have made themselves personally responsible, they would wish Oliphant's Hoek to be carried through rather than anything else, but so far as the ratepayers generally are concerned, all they want is an abundant supply of water, and it is a matter of indifference to them where it is brought from?—No; they want it from Oliphant's Hoek, because there will be the profits derived from it.

3977. *Dr. Gregory*] There should be no profits?—Why not; how are we to exist?

3978. It is one of those necessaries of life which should not be run at a profit?—I agree that we should supply the water as cheaply as possible.

3979. *Mr. Gurney.*] If a scheme providing an abundant supply of water for the whole of the Peninsula at a cheap rate were forthcoming, the ratepayers would get just as much benefit from the big water scheme, would they not?—You would not be able to work it as cheaply as we would be able to work it ourselves. As a rule, Government does not work things cheaply.

3980. *Chairman.*] It need not necessarily be the Government?—That is so.

3981. *Mr. de Villiers.*] You don't know anything about the farms below the Paarl, as to whether they use the water in the Berg River or not?—No, I don't think they use it there at all, and I don't think they can use it for drinking purposes either as there is a wool washing business going on

3982. You say they could not use the water of the Berg River?—They could, but they would have to pump it.

3983. There are other ways of getting at the water, they could take it out higher up by means of furrows, which is often done?—The river lies very low, and the farms are lying high up, and I don't think the farmers would do that.

3984 You agree that the value of a farm is diminished if the water supply is diminished?—Yes, if they use the water.

3985. But even if they don't use it, when they want to sell the farm, if there are no water rights or if the water rights have been diminished, the price would be less?—I don't know.

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3986. You might have to let the water run right down to the sea in the summer, in the dry season?—Yes.

3987. There is very good water on the Oliphant's Hoek farm?—Yes, there are three springs.

3988. Therefore you would lose the use of these springs in the summer in the dry season?—Yes, if we have to let the water run down the river.

3989. All you could do is to catch up all the surface water?—Yes, but the water would constantly run through our reservoir. So that the water in the reservoir will always remain clear.

3990. Do you intend to resist the claimants from the Paarl?—Yes.

3991. You have no idea of compromising?—I don't know what they want.

3992. If they did not get an interdict they might let you build your reservoir, and afterwards sue you for damages if any damages result.

3993. You said that the Colonial Secretary had refused his consent on account of this Commission?—I take it so.

3994. But if this Commission had not been sitting he would still have had to make up his mind about this scheme?—I take it so, but also that it was merely a matter of form, and the Colonial Secretary would not stand in the way of an adequate water supply for Woodstock.

3995. Don't you think he would have to use his judicial power under the Act to inquire into the suitability and practicability of the scheme?—Yes.

3996. It would be his duty and he might have to decide against you whether this Commission was sitting or not?—We went into the matter fully before we purchased, and we have two or three thoroughly competent engineers' reports

3997. Do you know under what Act it is proposed to go outside the Municipality?—Under the Act No. 45 of 1882.

3998. But can you go under that Act?—I think so.

3999. *Chairman.*] Is it not the Public Health Act?—Yes, that may be it.

4000. *Mr. de Villiers.*] If those Municipalities should afterwards suffer through this; they might very easily suffer because you say you want to supply the Railway and also Maitland, but the Water Committee has been supplying them so far with so much?—Yes, but they cannot suffer because they have not sufficient water.

4001. But if they could get a scheme through by which they would secure a large supply of water, then you would be taking away some of their custom?—That could be arranged: we could supply the Water Board and they could supply their customers.

4002. Assuming that you don't supply, then there would be competition?—We don't wish to compete.

4003. There may be more water if there are two schemes, but anyhow they might either have to make a higher charge for their water or else impose a rate; and in that case do you think it fair that these three Municipalities should suffer alone?—We don't wish to retire.

4004. Would you consent to a water charge being levied in Woodstock under the Act—which the four Municipalities have the power to do?—They are paying for water now.

4005. But you are referring to a water charge, and I am referring to a water rate?—They would not consent to a rate besides the water charge.

4006. Have you got authority from your ratepayers about the Steenbras River Scheme?—No, we have only just received the report, but the Water Board have asked us to consider the matter.

4007. You don't intend to oppose the scheme?—No, we won't stand in their way.

4008. You say that you expect, in case you should dissolve partnership, to be paid out?—If they wished us to withdraw from the Board then they should pay us accordingly.

4009. And take over your liability?—Yes; but it would be a very remote liability.

4010. Yes, but how about the creditors of the Municipalities?—They not only have got the water, but there is still available land as well.

4011. But would the creditors be satisfied?—At present the Standard Bank are the greatest creditors, and there may be a difficulty.

4012. *Mr. Stewart.*] Is it not a fact that the publication of initial proceedings in water schemes often lead to considerable expense?—Yes, of course litigation means money.

4013. What I mean is that it is sometimes detrimental to the interest of the Council that they should proceed openly to select a water scheme?—Oh, certainly. I

wish to say that people would always be found to oppose a scheme; for instance, there is a brak-water well in Woodstock which ordinarily is never used, and during the last drought we proposed to make use of this water—this is called the Bromwell—and certain persons came forward and opposed it.

4014. In any case it is better from various points of view that the preliminary proceedings of the Council in regard to a water scheme should not be divulged?—Yes.

4015. When did you first visit Oliphant's Hoek?—In May, 1899.

4016. Could you tell us briefly what were the characteristics upon which you selected Oliphant's Hoek as a source of supply?—I took into consideration more or less the water supply of Kalk Bay as far as the construction of this weir is concerned, and then we have sand and stone and almost all material which is required on the spot; we would only have to take up cement.

4017. And a large quantity of water?—Yes, and also the comparative ease of constructing a reservoir.

4018. The great facilities for obtaining building material on the spot?—Yes.

4019. Do you remember if the preceding dry season had been a wet or a dry one, comparatively speaking?—Well, I think it was a very wet one.

4020. You don't remember the state of the season compared with previous years?—No, I could not tell you.

4021. Do you remember if rain had fallen in that district shortly before?—Yes, I think so.

4022. Is it possible that the flow of the stream may have been increased by rain at that time?—Yes.

4023. What you saw then was not the average dry weather flow?—No.

4024. You stated that the usual flow is about 2,000,000 gallons a day?—Yes.

4025. How does that compare with the minimum flow?—Well, I should say that would be the minimum flow.

4026. Then it is not the usual flow?—No, I think it is the minimum flow.

4027. Has any survey been made of the catchment area?—Yes.

4028. How large is it?—34¼ square miles.

4029. Have any rainfall observations been made in that area?—We had a gauge, but I could not tell you whether we had all the gaugings taken.

4030. How many gauges do you say?—One gauge only.

4031. Do you think one gauge for an area of that extent would give a fair idea?—Well, in the winter time the whole place is simply like a sponge.

4032. But you had no rainfall observations before you when you visited it in May?—No.

4033. Do you know if the rainfall observations taken subsequently are available?—I could make inquiries and let you have them.

4034. What you have given us of the gaugings of the stream are gaugings taken during the dry season?—Yes.

4035. When was the first gauging of the stream taken?—I could not tell you the exact date, but I could furnish you with that.

4036. Have you any idea of the number of separate gaugings which have been taken since the first gauging was taken?—I think it was taken every second day.

4037. For how long during the dry season?—All through the dry season. The old man in charge of the farm takes them and sends them down. They are only taken by foot-rule at the flow over the weir, and then of course the width of the flow is taken in the calculation.

4038. During how many months have the gaugings been taken?—I think we started with the gaugings somewhere about three or four months after we concluded the purchase, and the purchase was concluded in March, 1900.

4039. For how many months in the year have the gaugings been taken. Could you give the months when they were taken?—No.

4040. Has any estimate been given of the quantity of water which flows off in a year in the catchment area?—No.

4041. I think you mentioned in evidence that you had seen a report on the Steenbras Scheme?—Yes.

4042. That I think gives an estimate of the quantity that may be expected to flow off?—Yes.

4043. But a similar estimate has not been made for Oliphant's Hoek?—No, such an exhaustive report as that of Mr. Stewart of the Steenbras River has not been made of Oliphant's Hoek.

4044. The catchment area of the Steenbras River is 23 square miles and the catchment of Oliphant's Hoek is 34 square miles?—Yes, that is right.

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4045. Assuming, for the sake of argument, that the flow off is about the same in both cases, Oliphants would give a bigger yearly flow off than Steenbras River?—Yes, I think so.

4046. Have the necessary works been designed for impounding the water at Oliphant's Hoek?—Yes.

4047. And have trial pits been made as regards the nature of the foundation?—Yes, I think so.

4048. You are not sure?—No.

4049. Could we get the contents of the reservoirs at different heights?—I think so.

4050 Do you know whether, in estimating the cost of the work, the cost of the proposed dam is taken for a dam of such a width that it can be increased ultimately?—Yes.

4051. Can we get that?—Yes.

4052. Do you know if provision has been made for evaporation?—I could not tell you.

4053. Evaporation in the dry season is a very considerable amount?—Yes, by wind and sun.

4054. Do you know the consumption of the water per head per day for Cape Town?—No.

4055. Would you be astonished to hear that it is at present about 24 gallons per head?—That may be.

4056. Then you admit that the provision of Woodstock should be at least equal to Cape Town?—Yes.

4057. And you don't know, I suppose, that at the Commission at Johannesburg, the Town Council have requested the supply of 60 gallons per head per day?—I am not aware of that.

4058. Are there many gardens in Woodstock?—No, not very many.

4059. So that in the future you don't expect a large quantity of water will be required for that?—No. The gardens, I suppose, all will be subdivided into building lots.

4060. Coming to the question of water rights, you stated that you had acquired all the water rights on this stream down to Berg River, but you did not require any on the Berg River.

4061. I suppose it would be quite possible in years to come for a syndicate or company to be formed to pump water out of the Berg River below where you secure the water rights?—I think so.

4062. There is nothing to prevent a man having a right to that water from pumping it away?—Not that I know of.

4063. Are you aware of the arbitration proceedings that took place in connection with the Wynberg Waterworks?—No.

4064. Nor those at Port Elizabeth?—No.

4065. You mention that the drawback to the Steenbras Scheme is the fact that there would have to be a tunnel?—I said it would not cost so much to bring the water from Oliphant's Hoek as it would cost from Steenbras. The estimate for Steenbras exceeds that of the Oliphants Hoek by £50,000.

4066. For the same quantity of water?—Yes, 15 or 18 inch pipe. And that is, I think, for making the dam wide enough so that it is possible afterwards to store 6,000,000,000 gallons.

4067. But if there is a difference in the estimate, it may be accounted for that in the one case the wall is to be sufficiently large to be raised afterwards to hold 6,000,000,000 gallons and in the other case provision is not?—Yes.

4068. But, in computing this 6,000,000,000 gallons as you have done, you may not be quite correct?—Perhaps not.

4069. *Dr. Anderson.*] You had some plans prepared before the ratepayers' meeting. Who prepared them?—Mr. Menmuir, the Municipal Engineer.

4070. Were all the surveys and gaugings made by him?—No, some were made by a former Engineer. The levelling of the pipes on the track was made by another Engineer.

4071. You had no gaugings taken before March, 1900?—No.

4072. You were exactly in a similar position with regard to the Oliphant's Hoek water in March, 1900, as you were in May, 1899, when you first saw it?—We merely took a superficial gauging then.

4073. Since this you had various enquiries made into the water supply, but have you had the water analysed?—Yes, at various times; by Dr. Hewat, I think.

4074. Can we get a copy of his report?—Yes.

4075. *Mr. Lawrence.*] You said you had 4,000 houses at Woodstock, and 2,000 of them were supplied by the Waterworks Company through you, roughly speaking?—Yes, one part of Woodstock is supplied direct by the Water Board—Woodstock No. 2—which was given to us in 1895, when the Government appointed a Commission to form the boundaries, and it forms a large area between Salt River and Observatory.

4076. The whole population is supplied from one source?—Yes.

4077. You have no wells?—They are not allowed to use the wells.

4078. You have heard that we want 10,000,000 gallons of water per day for the Peninsula, can you tell us where we could get it?—No, I don't know.

4079. You don't think the Oliphant's Hoek could supply that?—No.

4080. *Chairman.*] Do I understand that the Oliphant's Hoek River is fed entirely by rain fall?—No, there are springs.

4081. Is there any spring like the Albion Spring?—I have not been up to the source, but there are three distinct springs.

4082. Have you seen these springs?—No, it was too high up for me.

4083. I think I heard you say that the Committee of Management of the water for the four Municipalities approached you recently on the subject of the Steenbras Scheme; what did they ask you to do?—They wanted us to consent to take over the scheme.

4084. When was that?—Not very long ago.

4085. Was it since you entered into negotiation with the Oliphant's Hoek, since you issued those debentures?—Yes, not long since; it was quite recently.

4086. And you declined?—Well, we have not had Mr. Stewart's report before us, and we have only just received it.

4087. Do you think there is any danger of the Oliphant's Hoek area suffering from drought?—Well, I spoke to a Mr. Peplar, the former proprietor, who has been living there for a long time, and he told me that the stream could always be relied upon.

4088. But supposing that there was no rain for about twelve months, which is no uncommon thing in this country, would you be dependent entirely for the natural flow of the river which would have to go down to the Berg River?—I don't think it is possible in Cape Town that we will be twelve months without rain.

4089. But it is no uncommon thing in this country?—Not in the Peninsula.

4090. Supposing there was a shortfall of rain, then you would not be able to store water?—I suppose so.

4091. Then you would be practically without water if the natural flow has to go down the river?—Those are all possibilities.

4092. But they have to be taken into account?—Yes; but if the springs were opened up they may increase.

4093. When you say that you have been approached about the Steenbras Scheme, were you approached as the Town Council or as members of the Joint Committee?—As the Town Council of Woodstock; they would have to approve of it.

4094. Was the same proposal submitted to Rondebosch and Claremont?—To Claremont; Rondebosch and Mowbray are the owners.

4094(a). They approached the Joint Committee, and then the Committee came to you?—Yes.

4095. And has the Joint Committee done anything in the matter within your knowledge?—No, they have done nothing.

4096. Nothing in the way of accepting either of the schemes?—No.

4097. *Mr. Gurney.*] When Woodstock found that it was short of water, you spent some money on waterboring?—Yes.

4097(a). Did not the firm that undertook that, offer to do it for a lump sum of £500, only payable when they found you a supply of some 150,000 to 200,000 gallons per day?—I am not aware of that, but they wanted to bore in our Municipal yard, and we told them that that was no good, as we wanted the water for higher levels.

4098. Did not they offer to take the risk if you allowed them to bore where they liked?—I am not aware of that.

4099. And was it not rather that they said that they would put down bore holes to any extent if you would allow them, for so certain were they of finding water that they could even find it at the back of your offices?—No, I am not aware of that.

4100. The officer who made the investigation reminded the Council that this firm had made this offer to bore at their own risk only to be paid £500 for each separate supply that they produced of 150,000 gallons a day?—I don't know anything about that.

4101. But that the Council insisted on their going to bore at the block-house?—We did not restrict them to the block-house, but we wanted them to bore on the mountain side so as to supply the high levels.

Mr. G. C. Behr. — 25th April, 1902.

4102. Did they not report to you that this place where you wanted them to bore was the driest part of the mountain, and that it would be throwing money away?—Why did they come? We told them anywhere upon the mountain side, so long as we got the water for the higher levels.

4103. I think your recollection is not quite accurate?—It is quite accurate.

4104. At any rate, it was after this abortive boring somewhere near the block-house, that you took up the Oliphant's Hoek scheme?—They bored at the back of the House of Mercy.

4105. I don't think you have quite a clear recollection of this matter, and I shall be glad if you would refresh your memory, so that we could ask you some further questions upon it when you come again?—Yes.

MONDAY, 28th APRIL, 1902.

Present:

Hon. Sir Bisset Berry (*Chairman*).

Dr. A. J. Gregory.	Mr. W. E. Gurney.
Dr. A. J. Anderson.	Mr. T. Stewart.
Mr. T. N. Dyer.	Mr. J. E. R. de Villiers.

Mr. Robert William Menmuir examined.

Mr. R. W. Menmuir. — 28th April, 1902.

4106. *Chairman.*] What is your full name, Mr. Menmuir?—Robert William Menmuir.

4107. Your professional qualifications?—I am an Associate Member of the Institution of Civil Engineers.

4108. And you are resident engineer at Woodstock?—Yes, I am the Town Engineer of Woodstock.

4109. How long have you been in that capacity in the service of the Municipality of Woodstock?—For about nine months.

4110. And where were you engaged before that?—I was Deputy Borough Engineer in Ipswich.

4111. Did you come out to the Colony under an engagement to Woodstock?—Yes; I was appointed in England.

4112. By the Woodstock Council?—Yes.

4113. Was that with special reference to the water scheme at present before the Council?—No, generally as Town Engineer.

4114. And have you had experience in hydraulic works in England?—Yes.

4115. Were you connected with the Waterworks of the Ipswich Corporation?—No, I was assistant waterworks engineer at Lancaster.

4116. Now I presume it was very soon after you came out that the Woodstock Council required you to inspect the Oliphant's Hoek proposition?—I had been out about four or five months.

4117. And your first visit took place about four or five months ago?—December the 5th was the date.

4118. And were any reports or observations made by other Engineers handed to you at the time?—I have seen only one report.

4119. Who is that by?—Mr. Wright.

4120. Can you put a copy of that report in before the Commission?—I am afraid I could not.

4121. Why? Is it private property?—Not that I am aware of. I have not got a copy here, but I could forward you one, I think.

4122. Where is the report?—In my office.

4123. Is it not regarded as a private document?—No.

4124. And therefore it is available for the Commission?—Oh, yes; I could have a copy made for you.

4125. Is that the Mr. Wright who is at present constructing the Joint Committee's reservoir?—Yes, the same gentleman.

4126. In what capacity had he been employed by the Woodstock Municipality?—He completed the survey from Klapmuts to Town.

4127. That report; does it deal with the capabilities of the Oliphant's Hoek River?—To a certain extent.

4128. Do you know how long he had been engaged in connection with that work?—I could not say for certain, but I think for about three or four months.

4129. It will appear from the report, I suppose?—Yes, I daresay it will.

4130. Has any other engineer been engaged on that scheme?—Yes, I believe Mr. Gray made a proposal which had something to do with it.

4131. Have you any report from Mr. Gray?—No.

4132. You are not aware as to whether there are any other reports in existence?—No, I am not aware that there are any; at any rate I have not seen any.

4133. As far as you know, was Mr. Gray the first engineer who reported on that scheme?—Yes, I believe so.

4134. As far as you know, was it in consequence of his reports that the Town Council acquired certain rights in that direction?—That I cannot say.

4135. The first written report which you have on the whole scheme is that of Mr. Wright?—Yes, that is so.

4136. Would you tell the Commission or give the Commission some details of the nature of the various surveys you have made in connection with the scheme?—Yes, perhaps I had better start with the reservoir at the top and come down this way.

4137. Just give us the details as accurately as possible without going into unnecessary matters. An idea of what the scheme involves from A to Z?—Yes, but would you like me to give the scales?

4138. No; I believe there is a stream the origin of which has not been clearly indicated to us?—Perhaps I had better commence to answer the question by stating that the watershed area is about 34 square miles.

4139. Put the Commission in possession of the main facts of the scheme?—I have a report here, Mr. Chairman.

4140. Will you kindly read it?—Yes; the first paragraph is as follows:—

"Woodstock Municipal Offices,
"February 12th, 1902.

"OLIPHANT'S HOEK WATER SUPPLY.

"WATERSHED.

"Measuring from the Surveyor-General's map, the distance from proposed Oliphant's Hoek Reservoir to the farthest source of the Wemmer's Hoek is about eight miles, the area of the Watershed above the reservoir is about 34 square miles, and on the basis of 30 inches rainfall less one-third for evaporation and absorption, and taking three millions of gallons per day, only one part in ten of the water will be abstracted, but taking the whole area of the Berg River Watershed, above the Paarl, which is 203 square miles, only one part in 60 will be abstracted from such river."

4141. How many of the facts mentioned in that paragraph are from your own observations?—I have had to use the Surveyor-General's maps which I take it will be admitted to be correct. There is one here.

4142. Is that the same map as the one suspended in this room?—No, it is on a larger scale.

4143. The distance from the reservoir to the furthest point of the Wemmer's Hoek Stream is about eight miles?—Yes, that is so.

4144. And on the same map basis you have an area of watershed of 34 square miles?—Yes.

4145. And you take a basis of thirty inches of rainfall?—Yes.

4146. Where do you get that basis?—That is simply an assumption; we have no rainfall returns whatever. At the time when the purchase was made some gauges were fixed, but they have been destroyed.

4147. Have you inquired from the Meteorological Commission?—No, but I understand that there is no station nearer than the Paarl.

Mr. R. W. Menmuir. 28th April, 1902.

4148. Have you made any inquiries as to where the nearest rain gauges are placed to the Oliphant's Hoek River?—No, I have only the return which is given in the "Argus Annual."

4149. Are you not aware that there is a Meteorological Commission in this Colony?—I am aware of that.

4150. But you have not searched their records?—No.

4151. What is the meaning of the term in the report "taking the whole area of the Berg River watershed, above the Paarl, which is 203 square miles, only one part in sixty will be abstracted from such river"?—I wanted to show what an infinitesimal quantity it would be that we would abstract from the river.

4152. That is what is meant by that?—Yes.

4153. On what foundation do you estimate the area above the Paarl as 203 square miles?—By the Surveyor-General's map.

4154. From the same source?—Yes.

4155. You have really not verified these estimates by practical observations conducted by yourself?—I have got no rain gaugings, if that is what you mean

4156. Are there any springs at the source of that river of any great strength?—One spring which is directly above the reservoir.

4157. But the river runs eight miles before it reaches the reservoir?—Yes, it is at the Oliphant's Kloof—at the top of the valley; and from what I have been told—I don't know it from personal knowledge—that Spring has never failed yet.

4158. Have you gauged that stream?—Only in connection with the other Spring; our gauging takes the three Springs.

4159. You have only one gauge?—Yes, it takes the whole lot which will serve the reservoir.

4160. Fixed at a point below the junction of the three head waters?—Yes.

4161. Then do all these three head waters rise in springs?—I could not say; I have been over the ground, and the average rise of the watershed is about two thousand feet above the reservoir itself.

4162. Have you been on the spring from which the Oliphant's Hoek River comes?—No.

4163. Has that been gauged by anyone?—Only combined with the others as I explained to you.

4164. At that point below the junction of the three?—Yes.

4165. Well then, I take it that, barring that spring at the head of the Oliphant's Hoek River stream, there is nothing to show that the water of the other streams is not simply rain water as it falls?—That I cannot say; my own impression is that they are all three fountains.

4166. But to what extent you don't know?—No.

4167. At any rate you have taken gaugings at the junction of the three streams?—Yes.

4168. And over what time do they extend?—Mine unfortunately extended only over four months: from December 1st to the end of March. And on December 1st $4\frac{1}{2}$ millions come over; it decreases on the 21st December to $2\frac{1}{4}$ millions; in the beginning of January it goes up again to eleven millions; and on the 12th of January it was as high as 83 millions; then it goes back again to $2\frac{1}{4}$ millions on the 30th January; and for the whole month of February I daresay the average would be about $2\frac{1}{2}$ million gallons a day. I could put in a copy of these gaugings afterwards, if the Commission desire to have it.

4169. These are the only gaugings that you have been able to take?—There are others in the possession of Mr. Wright; I have tried to get them, but he is away at present.

4170. At any rate, these gaugings were taken by you between the 1st December and the 27th March?—Yes.

4171. And for the accuracy of these you are prepared to vouch?—Yes.

4172. And they are based upon gaugings taken by yourself at the point below the junction of the three head streams of the Wemmer's Hoek?—Yes.

4173. Can you give us this report to-day?—No, I cannot, but I will try and send it to you to-morrow. I had such short notice that really I had no time to prepare.

4174. Now, could you tell us how far it is from the head waters of these three streams to where the Wemmer's Hoek river debouches on the Berg River?—I could not without measuring, but I could measure it for you from the tracing produced.

4175. You have not gone over the grounds?—No; I could measure it from the big map I have here, from which it works out to about $8\frac{1}{2}$ miles from the reservoir to the debouchure of the Wemmer's Hoek and the Berg Rivers, and from the reservoir to the furthest extent of the catchment area is another eight miles.

4176. That would represent the length of that stream to be about sixteen miles? —Yes, that is so.

4177. Are there private farms on both sides of that stream?—The little plan shows the farms. The farm Oliphant's Hoek and a portion of the farm Le Roque belongs to us, and we also have some rights over the Tigers Hoek farm.

4178. What rights? On the Upper North Bank of the river?—Yes.

4179. Have you bought the riparian rights down to the Berg River on both sides? —Yes.

4180. Including such streams as flow into Wemmer's Hoek River?—Yes.

4181. There are some smaller streams marked on this map as running into the Wemmer's Hoek River?—The Tiger Kloof is shown, and we have the right to take the water from that also, but that is below our reservoir.

4182. As far as you know that is the lowest branch river from which you could take the water?—Yes; that is a joint right, but it does not affect the Oliphant's Hoek scheme which is above it.

4183. Well then the proposal is to build the reservoir below the junction of these three upper streams?—Yes.

4184. Will you kindly read further from your report?—Yes, paragraph two is as follows:—"Oliphant's Hoek Reservoir: The capacity of the proposed Oliphant's Hoek Reservoir is 280 million gallons, and this will hold 93 days' supply without any water from the stream being taken into account, although on the 5th of this month the amount of water running down the stream and over our gauge is $2\frac{1}{3}$ inches, representing some 2,187,360 gallons in 24 hours; on January 14th it was 5 inches, representing 6,220,800 gallons in 24 hours, and this during a period of drought. The top water level of the reservoir will be 1,296 feet above low water of Table Bay. It is proposed to construct a substantial dam for impounding the above quantity of water with proper overflow for storm water; a valve tower within the reservoir to control the supply. A culvert to go from the tower through the solid ground. The water main will be carried on proper bearers within the culvert."

4185. Perhaps you would explain to the Commission what the nature is of the gauge that has been put up at that river?—It is the ordinary timber construction.

4186. Some of the members do not know much about these matters, and I shall be glad if you will kindly explain to us exactly the nature of the structure?—Planks have been built across the stream, and a strip of steel has been fastened to the top and we measure the height according to that; I may say that the width of the weir is twelve feet.

4187. Is that the ordinary method of doing that kind of work?—Yes.

4188. And you are satisfied with the results obtained from this?—Yes.

4189. And they have been conducted by yourself?—Yes, of course my men have put up the structure.

4190. For these observations you are prepared to vouch?—Yes.

4191. Will you read further from your report?—Yes, the rest of the report is as follows:—

"PIPE LINE.

"For three miles from the reservoir it is proposed to use 13 inch steel pipe, having a hydraulic inclination of 1 in 41: a break pressure tank will be at the end of this pipe, from three miles to twenty miles (17 miles length) a 19 inch steel pipe will be placed, and another break pressure tank at the end thereof. From 20 miles to the terminus in Mountain Road, Woodstock, a length of 25 miles with a hydraulic inclination of 1 in 528—it is proposed to use a 20 inch steel pipe. The greatest pressure in the pipe will occur near Salt River Station, and will be 304 lb. per square inch, and the intensity of stress upon the $\frac{1}{4}$ inch metal of the pipe will be about 5 tons per square inch.

"SERVICE RESERVOIR.

"The position of the proposed reservoir at top of Mountain Road is at the junction with the road leading to the Prince of Wales Blockhouse; this reservoir will have a capacity of about 8 million gallons, and the top water level will be 426 feet above low water of Table Bay. A valve tower will be placed within the reservoir, and a culvert will be built from the tower through the solid ground, the water main being placed therein on proper bearers, and then taken down Mountain Road to the distributing main.

Sgd. R. W. Menmuir, A.M.Inst. C.E.,
Town Engineer."

Mr. R. W. Memmair. 28th April, 1902.

4192. These recommendations are yours?—Yes.

4193. And this report is based on your recommendation of the proposed scheme?—Yes.

4194. Have you suggested all these things yourself, or has any other gentleman been previously associated with you on the work?—Well, these are my suggestions undoubtedly, and I have not been associated with anyone else.

4195. Have these recommendations been approved of by the Council?—Yes.

4196. They have been adopted by the Town Council?—Yes.

4197. But nothing has been done up to this time in the way of giving effect to that?—No, unfortunately not.

4198. Are there gaugings going on still?—Yes.

4199. I suppose you find that they are very much affected by the condition of the weather?—Yes, undoubtedly.

4200. But no gaugings have been taken completely through a dry season?—Well, the gaugings that I have are intended to embrace the dry season of this year from December to March.

4201. There is another report which has been put in in connection with the water supply, and it is signed by Mr. E. S. Smith, Town Clerk of Woodstock, giving us certain statistics; are you acquainted with that report?—Yes.

4202. Are the facts and figures given in that report in any way based upon figures supplied by yourself?—Undoubtedly, yes.

4203. That estimate of 500,000 gallons daily to Woodstock is your estimate?—Yes.

4204. And the estimate of 300,000 gallons daily to the Railway Department is also your estimate?—Yes.

4205. On what do you base that estimate?—At the present time the Railway Department is supplied through a meter at Woodstock, which is deducted from our supply, so that we know at the present time what they are consuming.

4206. And what are they consuming now?—I could not tell you; I have forgotten.

4207. But on what do you base your estimate of their requirements?—We know that they are very short of water and that they would willingly take twice the quantity they are getting at present.

4208. That estimate supposes you alone supply them?—They cannot get water unless it is given to them through the Woodstock main, and I think it would be a fair assumption of what they would require.

4209. They are at present taking water from the Joint Water Committee of Management of the Councils?—Yes.

4210. The Woodstock Council is responsible to the Joint Water Committee of Management for a certain revenue?—Yes. The Railway Department have been getting their water direct from the Joint Water Committee of Management. It is supplied by meter and the quantity is deducted from ours.

4211. Now, if the Joint Committee are deprived of this delivery of water to the Railway Department, it would be a loss of revenue to them?—Undoubtedly.

4212. Then that loss would fall back upon the Woodstock Council as well as on the other Councils?—I daresay they could arrange to take a certain quantity of water from the joint concern. I know that they have been very hard pressed for water.

4213. They are at present consuming 170,000 gallons per day?—Yes.

4214. And you propose to supply them with 300,000 gallons?—Yes.

4215. And that would practically abolish the dependence of the Railway Department on the Joint Committee's supply?—Yes, it might do that, but I know that they are very short of water, and they would be glad to get a supply from us if we only had it to give them.

4216. Did you make any estimate of the prospective population of Woodstock with reference to the supply of water?—We have a surplus of 1½ million gallons per day.

4217. An assumed surplus?—Yes.

4218. That assumed surplus is based upon the estimated supply by the Wemmer's Hoek stream?—It is all based on the three million gallons that we propose to take.

4219. But now, how would that work out in case you could not get any of that supply from Wemmer's Hoek stream: Suppose the law should be that the whole of that water should be allowed to run down the Wemmer's Hoek Stream to the Berg River: How do you propose then to supply all that water?—If we cannot get the water we cannot supply.

4220. Evidence has been led here that the normal daily flow of the stream might have to be allowed to run down the stream to the Berg River?—The average daily flow?

4221. *Mr. Gurney.*] During the summer months?—Yes.

4222. *Chairman.*] If the average daily flow of the water could not be impounded, how do you propose to get Woodstock the 2½ millions of water per day? Do you follow me? I take it that in that case it could only be done from storage?—Yes, the difference between the compensation water and the amount of water that we could get in. I daresay the average running down would be two million gallons or perhaps less and it is not an insuperable amount. These riparian rights are constantly cropping up at home and water has to be allowed for them just as much as it is done here.

4223. Suppose that quantity of water is to go down the stream, how does the storage work out?—For 93 days if we take the three million basis. If we could get 1½ million gallons from the water going down it would certainly leave us 186 days.

4224. I don't quite follow?—I have here the gaugings for the three months, December, January and February, and about 480,000,000 gallons went down the stream. If you take three millions per day through that period it would be equivalent to about half.

4225. Start with the supposition that towards the end of the rainy period you have a storage of 280,000,000 gallons?—In the first case we would have to know how much compensation water is to go down the stream.

4226. We had in evidence the possibility that the law might compel the Woodstock Council to allow the average flow of the stream to go down the Berg River?—Is that the average dry weather flow?

4227. I presume that is what is meant, and what I want to get hold of is this: Suppose you start at the end of the ordinary wet season with your reservair full, holding 280,000,000 gallons of water, upon which you have to draw during the dry season: now, what I want to know is, will that storage capacity give you for the dry season 30 gallons per head daily for your prospective population of 75,000?—That supposition is not very likely to occur. These figures I think are very fair. Ten million gallons run down in a day, and that undoubtedly would go through our reservoir first, so that we should have the first pull and nobody could stop us. If we were not allowed to take a drop of water going down the stream, then we would only have a 93 days' supply.

4228. I was assuming the normal termination of the wet season, but I don't know myself how long the dry season lasts, and I wanted to know if you could give me any information on that point?—No, I have no further information beyond what I have supplied.

4229. Broadly speaking, I want to know to what extent the stored water in the reservoir will carry Woodstock with its prospective population of 75,000 through an ensuing dry season, especially in view of the possibility that during that season the average daily flow of the stream would have to go down the stream and that you would not be able to impound a drop of it; that is the point I want to get hold of?—I cannot say.

4230. You have made an estimate of the number of days during the year when it may be impossible for you to store water?—I scarcely follow you—impossible to store water?

4231. Yes, there?—For what reason?

4232. For the reason that you may be compelled to allow the average flow to go down the river?—Well, I have not got that information; I have only got these gaugings.

4233. From the evidence it appears, without specifying the number of months, that it might be quite possible that for three, four, five or six months, the Woodstock Council may be compelled to allow every drop of water that comes into the Oliphant's Hoek Stream to go down to the Berg River; now we have no evidence before us of how long that may be; we don't know during how many months of the year it may be impossible for your Council to add to the store water?—You see there is no doubt from the very high altitude of the land there that it is subject to storms. For instance, when I was there on my last visit on the 15th March, there was a very big thunderstorm as we were going home, and the next day when I got the returns twelve million gallons had run down—that was on the 17th. Undoubtedly that would run through our reservoir and we would fill up our reservoir very quickly. I think there is no doubt that the same extent of drought does not occur on the mountains as down here on the flats.

4234. But you have no information?—No; I may say that during that storm, not a drop of water fell at the Paarl.

4235. It appears from what some previous witnesses have said that the Woodstock Council acquired those rights in 1900?—I don't remember the date.

4236. Some two years ago?—It is something like that.

4237. Since they finally acquired their rights, nothing has been done except the taking of these gaugings?—The gaugings have been going on for some time.

Mr. R. W. Menmuir. 28th April, 1902.

4238. But not by yourself ?—No, only what I have produced.

4239. *Dr. Gregory.*] The most important feature of the water supply, when a new scheme is started, is that it shall be sufficient for some time to come?—Undoubtedly.

4240. Are you responsible for these figures as to the requirements of Woodstock which have been furnished by the Town Council ?—I am partly responsible for them. Mr. Smith and I did it between us.

4241. The present requirement, you say, for the Woodstock Council is about 300,000 gallons per day ?—That is so.

4242. And your population of Woodstock is about 32,000 ?—Yes.

4243. Three hundred thousand gallons of water per day would give about 15 gallons per head per day for your present population ?—Yes.

4244. Do you consider that a sufficient supply of water ?—It is sufficient for the present. It is for the revenue which we shall receive.

4245. What is your experience as to the average amount of water supplied to sewered towns in England per inhabitant ?— 25 to 30 gallons per day. We used 25 gallons per day at Ipswich.

4246. The general thing is to take about 30 gallons ?—Yes.

4247. In this Colony it would be a little over rather than under owing to the number of baths ?—Yes, but the population is rather mixed here.

4248. At any rate you cannot estimate a lower figure than 30 gallons per day ? —It is wise, undoubtedly, to estimate at that.

4249. Therefore in order to supply the needs of your present population you will require one million gallons per day ?—Yes, in future.

4250. You have to have sewerage ?—We have not got it.

4251. Still you are going to have it ?—That will come out of the surplus.

4252. Never mind your surplus and your revenue; your present needs would be one million gallons per day ?—Yes.

4253. As a Sanitary Engineer you will agree that the time is not far off when Woodstock must be sewered, so that under your present needs it would be safe in putting it down at one million gallons if the population does not increase ?—Yes.

4254. What do you estimate the increased population will be, say, in ten years' time ?—I daresay we shall have about forty-five or fifty thousand.

4255. About double ?—Somewhere about there.

4256. Therefore in ten years' time your supply must be at least two million gallons per day ?—Yes.

4257. Now, when you are going in for a water scheme you look ahead further than ten years ?—But there is a limit to our expansion.

4258. But fifty or sixty thousand is not your limit ?—I don't suppose we will get up to more than seventy thousand in any case.

4259. Why do you say that ?—By taking the extent to which we can go.

4260. That evidence does not accord with other evidence given before that Commission, which gives your prospective population as 80,000. In the report the prospective population is given at 75,000, and that would mean 2½ million gallons of water per diem ?—Yes.

4261. So that as a practical and far-seeing Engineer you do not consider that any water supply for Woodstock should be undertaken or seriously considered that did not give you three million gallons per day ?—Three million gallons per day is undoubtedly the smallest scheme that we should go in for.

4262. The scheme should give you a supply of three million gallons for Woodstock alone, wet or dry season ?—Yes.

4263. Now, in your estimate of what the Oliphant's Hoek scheme will supply you have based it on thirty inches of rainfall ?—Yes.

4264. Now, there are certain figures which are in the possession of the Commission and which show the rainfall at Houw Hoek for a certain number of years; how far is Houw Hoek from the Oliphant's River ?—I don't know.

4265. The rainfall during a period of eleven years at Houw Hoek gives an average of 23·7 inches per annum, the highest being given at 31·21 inches, and the lowest being 15·45 inches ?—I know there is a stream at Houw Hoek, but I don't know the rainfall.

4266. Houw Hoek is 800 feet above the level of the sea; what is the level of your reservoir above the sea ?—1,296 feet, and the gathering ground would be fully 2,000 feet higher than that.

4267. Therefore the increase in height would make a difference in the rainfall; would it increase or diminish it ?—Increase it.

4268. But do you think that it would increase it so much that what is a 13 inch rainfall at Houw Hoek would never be lower than a 30 inch rainfall at Oliphant's

Hoek?—Well, perhaps I had better answer the question in this way: Thirty inches will, I take it, be the rainfall in the district of the Paarl and I think the average would be about thirty inches.

4269. Yes, but what is the lowest annual fall for the Paarl?—That I could not say.

4270. In all water schemes you have really to deal with the lowest rainfall, have you not?—Undoubtedly, we have to, and I feel certain that if we had the rain gauges up there we should find that it is nearly as much as the rainfall on Table Mountain, which amounts to about 17 inches. I take that as a very low estimate, but it is better to take a low estimate and be on the safe side.

4271. So that you feel confident that your thirty inches of rainfall would be the minimum daily fall that you might expect there?—Yes, I do.

4272. Now, you have put in certain gaugings during December, January, February and March?—Yes.

4273. The highest of these gaugings appears to be on the 12th January, when you got 83,000,000 gallons per day?—Yes.

4274. That is the flow over your weir?—Yes.

4275. But the lowest is in February, when you only got 1,560,000 gallons per day?—Yes.

4276. You made a statement that most of your water comes from springs?—Yes, I am under that impression.

4277. How much of it comes from springs?—That I cannot say; I have not had it gauged.

4278. Would you be inclined to say from these gaugings that about one million or one and a half million gallons come from these springs?—I would not like to commit myself at all.

4279. Let us put it in another way: What is your most usual flow during the dry season according to your figures?—Somewhere about two millions.

4280. It is somewhat under two millions; at any rate we will say two millions would be the usual flow if you had not had a previous rainfall?—Yes.

4281. So that it would be some portion of that two millions which would be coming from the springs?—Yes.

4282. So that it could not be more than two millions that come from the springs?—No, it could not be.

4283. Owing to the incline of your catchment area, and the fact that the rainfall appears, according to what you say, to come down suddenly for short periods, your rainfall very soon runs off, does it not?—Yes, very quickly.

4284. As evidence of that, I presume we may take these figures from the return you are handing in: On the 10th January there was a flow of 2,187,000 gallons, and two days later, on the 12th of that month, you were getting 83,000,000 gallons per day. Two days later again it dropped to 6,220,000 gallons, and still two days later again it went down to 5,285,000 gallons. Two days after that, on the 18th, it was 14,429,000 gallons, and on the 20th it was again 2,800,000 gallons odd. Does not that show that your rainfall very soon runs off?—Yes.

4285. Again, in February I notice that from the 19th to the 23rd your gaugings stood regularly at 1,565,000 gallons per day?—Yes.

4286. After the 23rd, on the 25th, it went up to 28,990,000 gallons per day, and again, two days later, it dropped down to 3,628,000 gallons. That again shows that the rainfall soon runs off?—Yes.

4287. Now you have said that it may be possible that during the dry months, at any rate, the whole normal flow of the stream may have to be allowed to run down to the riparian owners along the Berg River?—It may happen.

4288. Therefore during the dry months you would be dependent entirely upon the water stored in your reservoir?—Undoubtedly, if we could not get water to replenish our supply we would have to rely upon the reservoir.

4289. You would be entirely dependent upon it during the dry months in that case?—Yes.

4290. And your reservoir is to hold 280,000,000 gallons?—Yes.

4291. And you say that is 93 days' supply?—Yes.

4292. But that is reckoning only on three months, whereas it is generally admitted that you must reckon the dry season as four months?—Yes.

4293. Therefore you would have to give 120 days' supply?—Yes.

4294. But the 280,000,000 gallons divided by the 120 days will only give you 2,300,000 gallons per day?—Yes.

4295. And you have just agreed that no scheme should be undertaken unless it provided you with three million gallons of water per day as otherwise it would be of no

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use?—It is rather an abstract reasoning altogether, don't you think? You are assuming that we are not going to have any water of that running down the stream.

4296. But you have just stated that you might not be getting any water from the stream?—It might occur.

4297. Now, I am asking you if those things did occur would you have to rely on your reservoir for four months?—We should have to construct another reservoir. We have plenty of room—there is plenty of land.

4298. Would you perhaps say then that the reservoir of the capacity of 280,000,000 gallons would not be sufficient, and that you would want a larger reservoir for which you would require another site?—We have other rights. We could take the water from the streams lower down.

4299. I am taking your scheme as it is presented to us?—This could be made part of the scheme also.

4300. Then it might be necessary for you to take in other water supplies than this particular one?—Yes, as we have the right to take the water lower down the stream.

4301. Then have you considered the question of incorporating these supplies into this scheme?—Undoubtedly.

4301(a). Cannot this present scheme as devised take in these other supplies without further extension?—Yes.

4302. Would not you require a further reservoir?—No, we could take the other supplies directly.

4303. Where do these streams discharge into?—Into the Wemmer's Hoek River.

4304. If you could not take this one stream in the dry season, why could you take the subsidiary streams?—We have all the rights of these owners.

4304(a). But still if it goes into the Berg River it would affect the riparian rights?—I don't quite understand what the riparian rights are here.

4304(b). You say you don't know what the riparian rights are here, or do you say that you don't know what a riparian right is?—I don't know what a riparian right is in this country, where it is rather a complex question. If it were found and laid down, by those who have the power to do so, that we cannot take this water, then we should have to extend the scheme and provide more storage, but at present it seems to me that it is rather an abstract question.

4305. Have you not already received information of objections likely to be made against your abstracting the water that flows into the Berg River?—Yes.

4306. Then why call it abstract?—Suppose we were taken into Court about this matter, I don't think for a moment that the prosperity of the community would be sacrificed for a few dipping rights.

4307. That is merely a matter of opinion?—Yes.

4308. It is not legal opinion?—Undoubtedly not.

4309. Have the Council taken legal opinion?—I could not say.

4310. Then as a practical engineer you have got to take the thing as you find it?—Unfortunately we have not found it yet. As soon as I know about the riparian rights then I could tell you definitely.

4311. You have got to take it as you find it; that is to say you may be deprived of the water during the dry season owing to claims made by riparian owners along the Berg River: you have got to accept that as a possibility?—Yes, I could advance everything as a possibility.

4312. Quite so, and have you accepted that as a possibility and are you prepared to meet that increased storing capacity; that is what I want to know?—Yes.

4313. Your storage here is placed at 280,000,000. What is that going to cost you?—You will find that in the report which I shall send in to the Chairman. Mr Wright's report puts it down at £76,000.

4314. What is the height of your reservoir wall?—About sixty feet.

4315. And what additional storage capacity would each foot of increased height give you above that?—We have not worked it out.

4316. Owing to the question being so abstract?—No; not abstract according to the question of water only as far as the legal aspect is concerned.

4317. What would it cost to raise it up a foot?—I could not say.

4318. Would not the increased cost be such as to kill the scheme?—No, I don't think so.

4319. But it might be so expensive as to damage its utility?—I won't admit that.

4320. Your reservoir holds 280,000,000 gallons; might you not have some difficulty in filling even that in a dry season?—We should not fill it during the dry season.

4321. Or replenishing it during the dry season?—If you take the gaugings that I have got here, and making the assumption that we should have these storms periodically, then we should have no difficulty whatever.

4322. Yes, but take your gaugings during December, during the whole of that month you only had, so far as I can see, the normal flow of the river which ran day by day. Two million gallons, 2,800,000 gallons, 2,100,000 gallons, 4,000,000 gallons, and so on?—Yes.

4323. So that you were getting no stormwater during that time, according to these gaugings in December?—Well, you see, if we get our reservoir constructed at the top all this water will go through it.

4324. But if it is to go to the Berg River below, it is not much use going through your reservoir?—It would be the overflow. A certain quantity of water would be stated that we would have to allow to go down, and it would pass through our sluices and we would measure it.

4325. And any surplus you would take?—Yes.

4326. And you would admit that there would not have been a large surplus in December?—It all depends.

4327. But really the first day that you could have got a supply would have been on the 4th January?—Yes.

4328. But just two days prior to that—on the 2nd January—you only had a flow of 1,800,000 gallons, which might have to go down the stream?—Possibly.

4329. And six days after that 5,000,000 gallons again which must have been a flow from stormwater, and which at the outside could have lasted only a few days, and supposing that you impounded all the water that time, say ten million gallons each day, you would have only got into your reservoir about twenty million gallons, and that for a reservoir containing 280,000,000 would not mean very much; is that not so?—(Witness does not answer this question.)

4330. Well, as you do not appear inclined to answer that question, I shall go on. During January you went on again on a normal flow until the 12th, when you got 83,000,000 gallons?—Yes.

4331. But on the 14th this had gone down again to 6,000,000?—Yes, but then we would have the 80,000,000 in our reservoir.

4332. But the greatest quantity you could impound according to this would only give you 160,000,000 gallons into your reservoir?—Yes, but you see——

4333. So that, will you not agree that, taking these gaugings, you cannot really very much rely on stormwater during the dry season for replenishing your reservoir?—I think we can undoubtedly.

4334. Well, I am not an Engineer, but to my mind it would appear from those gaugings that the impounding of your water would have to take place during the wet season and that during the dry season you would have to depend, for three or four months, if the riparian owners obtain what they consider to be their rights, entirely upon the water stored during the wet season?—In speaking about these riparian rights perhaps it would be just as well if I mentioned one little procedure with which I am very well conversant. We had a scheme there which represented the taking of 2,000,000 gallons of water per day and the amount of compensation water was only 600,000 gallons.

4335. *Chairman.*] Is that in this Colony?—No, in England; and I think there is no doubt we had very strong opposition, but it is quite the usual thing there to allow compensation water. There were about 18 mills working by the water of the stream, and that is how it was done.

4336. But the law is very different in this Colony?—I could not say what the law is in this Colony, and I don't know what we will have to allow to go down the river, and therefore I cannot give definite information.

4337. *Dr. Gregory.*] Assuming that your gaugings are correct, I see that a quarter of an inch makes a difference of 303,000 gallons?—Yes.

4338. And a quarter of an inch is not very much, taking the average?—Yes.

4339. But you are quite sure that they are correct?—Within a limit.

4340. Within what limit?—Well, we will say within a practical limit, if you like.

4341. They could be assumed to be practically correct?—Yes.

4342. In your account of this scheme you state that you would have to have several break-pressure tanks. On what level above the sea would the lowest break-pressure tank be?—673 feet.

4343. And your service reservoir?—426 feet.

4344. So that you could lead it to a higher altitude than that?—Yes.

4345. That service reservoir, will that have any connection with the new reservoir that is being put up by the Cape District Waterworks?—No.

4346. What is the level of that reservoir, about?—I think it is about the same.

4347. And how far off will your reservoir be from that one?—I could not really say, I don't know the distance, but I think about four or five miles.

4348. Would it not be about three miles?—Yes, that might be.

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4349. One of the members of the Commission states that it is within three miles. Are you prepared to accept that?—Yes.

4350. And what is the capacity of your service reservoir?—The proposed one?

4351. Yes.—8,000,000 gallons.

4352. And what is it to cost?—About £20,000.

4353. Would it not be possible in this scheme to make use of the Joint Committee's Reservoir that they are now completing on the slopes of the mountain?—It would be possible, but I don't think it would be desirable.

4354. Why not?—Well it only holds 30,000,000 gallons, and that is small enough for their own purposes.

4355. But for a service reservoir, the capacity is of no very great moment?—Not as a rule.

4356. Therefore a 30,000,000 gallon reservoir, so far as size and altitude are concerned, would be admirable?—It would answer very well.

4357. If you could amalgamate these schemes, I presume you would not go to the expense of putting up an additional service reservoir?—I think it would be most desirable to put up a new one, because the place would, I take it, be divided into districts.

4358. So that you would have to have another service reservoir?—I think so, yes.

4359. Presuming that a considerable supply of water could be obtained in one scheme, sufficient for the whole Cape Peninsula, would not you be in favour of the adoption of that scheme in preference to the adoption of a number of small schemes such as are implied in Oliphant's Hoek and Steenbras River schemes?—I think one of the first things in all water supplies is undoubtedly the consideration of the quality of the water.

4360. We will assume that the large scheme will have water of a quality that leaves nothing to be desired; we will take that for granted?—Well, you take such a lot of things for granted, unfortunately, that it makes it difficult to form an opinion.

4361. In other words, you would rather not answer that question?—No, because speaking in generalities about these matters I do not consider the right thing.

4362. *Chairman.*] You being the Engineer of the Woodstock Council, you are not bound to give evidence on other schemes?—No.

4363. *Dr. Gregory.*] But speaking generally, one large scheme would be preferable to a number of smaller ones?—Well, I would not like to admit it. The quality of the water which they are going to get should be taken seriously into consideration in any case.

4364. *Chairman.*] But we may take it, as assured from you, that the scheme as at present contemplated is devised for the requirements of Woodstock alone?—It is devised for the supply of Woodstock, but we could supply 2,000,000 gallons per day to other people. Taking everything into consideration, we will have a surplus of 1,500,000 gallons per day.

4365. But not if you run up your population to 75,000?—No, but that will only perhaps be in 20 or 30 years' time.

4366. But you will admit that the Commission has to consider that?—Yes.

4367. A population of 75,000 would require something like 2,250,000 gallons of water, that is taking it at 30 gallons of water per head per day of the population?—Yes.

4368. We take it that the Woodstock Council in devising this scheme look mainly to their own requirements?—Certainly as to the future, although we can help other people for the present or for the next 20 years.

4369. *Dr. Gregory.*] Your present water supply, is that satisfactory as far as it goes?—Yes, but unfortunately it does not go far enough. At present the best part of Walmer is not supplied.

4370. That is owing to what?—Well I suppose shortage of water and the people who are nearer the springs get the first pull and we only get the remainder.

4371. Where is the supply for Walmer derived from?—It comes from Rondebosch and it meets at the Cross Roads, goes up Maitland Road and along Victoria Road.

4372. *Mr. Gurney.*] It comes from the Suburban Waterworks Committee's Supply?—Yes.

4373. *Dr. Gregory.*] Have you any part of your Municipality that lies too high for the Suburban Water Works to supply?—Oh, yes.

4374. What is that called?—Top of Walmer Estate, where the supply is given very occasionally—perhaps once or twice a week.

4375. How much of Walmer does that include, then ?—I could not say, really.

4376. How many houses, about ?—Perhaps 300 houses; I should say at least that number.

4377. Owing to the altitude, the 300 houses cannot be supplied by the Suburban Water Works ?—Yes, that is so.

4378. Where do you get their supply from now ?—We have been carting the water, and the people have tanks in which they store it. They are supplied about twice a week, and that is how they manage it, but it is a very unsatisfactory arrangement, and becomes very harassing.

4379. And could you not obtain water from Cape Town for that part ?—Well, we have an offer from Cape Town to supply. They did supply us last year, but suddenly during the dry season we were cut off.

4380. And they have made a fresh offer again ?—Yes.

4381. Could you supply the Commission with particulars of the nature of that offer ?—Simply that they would supply us with the water.

4382. And would charge ?—1s. 6d. per thousand gallons.

4383. And you are paying 1s. 3d. ?—Yes.

4384. And Cape Town wants 1s. 6d. ?—Yes.

4385. Have you any idea why there is that difference in price ?—I have not, really.

4386. The Cape Town Council will not have to lay mains for that supply ?—None whatever.

4387. Their charge is merely for the supply of water ?—That is so.

4388. Have the Cape Town Council been asked why they put such a high charge on the water ?—I believe they have been written to, but I don't know in what terms; at any rate I understand that something has been done in that direction.

4389. What is the highest level at which houses could be built in your Municipality ?—I think about 360 feet.

4390. And what is the highest part of Walmer now ?—Just over 200 feet.

4391. So that the Water Board will be able to supply this when they get their new reservoir ?—Yes, most likely, that is if the draught on the mains is not too great. The present height of their reservoir is 320 feet, and during the dry weather we are not supplied above a height of 50 feet, so that during time of drought we lose a head of 250 feet; and if you take 250 feet from the proposed height of the proposed reservoir they are not going to supply much above 200 feet.

4392. What is the cause of your losing the 250 feet ?—I think a good many of the mains are old, and inside are crusted with iron nodules and all that kind of thing.

4393. But all that would apply equally to whether it is a time of drought or not ?—But still if there is no drought on, people may use more water in the dry season.

4394. Then I take it that the loss at present is due to the withdrawal from the mains, so that the mains are not running full ?—Yes.

4395. In the event of this Oliphant's Hoek River scheme being brought into operation, what arrangement would take place, in your opinion, in regard to the supply now received from the Water Board ?—That I could not say. I suppose we would have to take some 50,000 gallons, but I think it could be arranged all right.

4396. As an engineer, do you contemplate continuing that arrangement or not ?—I could not say; I have not gone into that question.

4397. *Mr. Gurney.*] The survey for the pipe track was not made by you ?—No.

4398. Are you responsible for the estimate of £300,000 cost of this scheme ?—Yes.

4399. It is an exceedingly rough estimate ?—No, I do not admit that.

4400. Is the £300,000 the outside cost ?—I think we could do it for that money.

4401. *Mr. De Villiers.*] Do you perhaps know whether the Piquetberg people are going to fight this scheme ?—I have heard they are going to fight us to the value of £5. They would go to the expenditure of £5 in opposing us.

4402. Have you heard that the Malmesbury people are going to oppose this scheme ?—I have heard of it, yes.

4403. So that it would not only be the Wool Washery at the Paarl that would suffer ?—I could not say.

4404. Do you know anything about the Diesbeek water here in the Peninsula ?—No.

4405. You will be surprised to hear that the whole of the customary flow is to be allowed to go down the river by the Suburban Waterworks, and that is a very similar case ?—Yes.

4406. So that the questions which have been asked you are very real questions ?—(Witness does not answer this question).

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4407. Last December there was an affidavit handed in to the Supreme Court which says "that the Oliphants Hoek water is about the chief source of the permanent supply of the Berg River; and that the promoters will have to fight the riparian proprietors along the Berg River before any works can be constructed." Do you know that that is the most permanent—the most regular—and one of the chief sources?—Well, I daresay it is; there are 34 square miles catchment area, and we want a tenth part of the water that comes off it on the 30 inch rainfall assumption.

4408. *Mr. Stewart.*] I understand from you that you have got your catchment area by measuring it on the Government maps?—Yes.

4409. What is the scale of the Government map that you had?—I think it is about two miles to the inch.

4410. Is that scale on the map from which you quote the same as the scale on the map which is hanging on the wall in this room?—No.

4411. You notice on that map a patch coloured pink as Wemmer's Hoek?—Yes.

4412. Would you kindly look at that, and tell us whether the source of the Oliphant's Hoek scheme comes from there?—Yes, I take it that part of it comes from there.

4413. Are you aware that part of that is unsurveyed Government ground?—Yes.

4414. And how do you get the catchment area on that basis if there has been no survey?—Well, there is only a very small portion that has not been surveyed, and that would make very little difference—in fact, it would not affect the question at all.

4415. One side is not surveyed?—Yes.

4416. And how do you get the boundary?—I take the ridge of the land.

4417. In fact, for a large part of the circumference of your catchment area, there has been no survey at all?—I don't admit that at all. I find about $3\frac{1}{2}$ miles by an average of $1\frac{1}{2}$; it is only a small portion of this watershed that is unsurveyed.

4418. Have you had much experience in surveying catchment areas in the Colony?—In this Colony?

4419. Yes.—No, I have not.

4420. So you have not compared the topography shewn on these Government maps with the topography of actual surveys as obtained for actual waterworks purposes?—I have not seen any surveys made for waterworks purposes up there.

4421. In other words, you have no means of judging the correctness of these surveys as regards the topography?—No, that is so.

4422. In proceeding to investigate the question of a water supply there are two or three very important things in starting, and those are the actual catchment area and the amount of rainfall on it?—Yes.

4423. And I take it from your evidence that no survey has been made and no rainfall observations of the catchment area taken?—No; but the new survey, I think, will be quite near enough to the catchment area; that is to say within a practical limit.

4424 But you don't know how the topography shewn on that map compares with the actual topography after a careful survey for waterworks purposes?—No, I could not swear to the correctness of that map.

4425. You know that the Government surveys are made principally with the view of determining the boundaries of properties and that as a matter of fact you call them "Beacon surveys" and not "Topographical surveys"?—No.

4426. No rainfall observations have been made?—Yes, but we have not got the returns.

4427. Who has the returns?—I could not say.

4428. Are you aware of how the rainfall during the last dry season compared with previous years?—No, I don't know.

4429. You have not compared it, for example, with years like 1894, 1895, and 1896, which were particularly dry years?—No, I have not.

4430. So that it is quite possible that the gaugings obtained by you would be very much less during such a dry season?—It might be so, and I hope it is the case because then if we have difficulties over this riparian business we would have to allow less water to go down the river.

4431. You have no other observations or gaugings of the stream in any other season?—No.

4432. Have you seen any rainfall observations for the Drakenstein range of mountains?—No.

4433. Do you know any single instance in this Colony where any public body has been allowed to construct their reservoir without allowing the dry weather flow to run down the river?—No, I do not.

4434. You don't know whether there is one or not?—No, I don't know.

4435. Have you looked carefully into the rainfall record, with a view of ascertaining how long the dry season continues?—I have had no figures at my disposal as to the returns. We really require the returns of the district for that.

4436. You are aware that as a matter of experience we find in this part of the Colony that seven months is frequently the duration of the dry season?—Yes, I would not be surprised if that were the fact.

4437. So that the three months for which you are making provision would scarcely be a sufficient supply for a dry season extending over seven months?—But then we are getting back to this abstract question again, and I am not prepared to admit anything.

4438. It is a fact, however, that water must be drawn from the reservoir through the seven months of the year?—Yes.

4439. Now, you applied the rainfall on Table Mountain to the rainfall of your range of mountains?—Oliphant's Hoek is somewhat similar to Table Mountain.

4440. You stated that it compared, more or less, with Table Mountain?—Yes; the altitudes are similar.

4441. Then if the experience of a dry season frequently extends over seven months on Table Mountain, would not that apply to Oliphant's Hoek as well?—Possibly it might.

4442. Very probably?—Yes; but I have not got the returns here to guide me.

4443. You stated, Mr. Menmuir, that your lowest break pressure tank would be placed at 673 feet above the sea; what pressure would it give through the Flats?—304 lbs.

4444. That is a heavy pressure?—Yes.

4445. And it is very unusual for a pipe line of that length?—Undoubtedly it is.

4446. And of course it necessitates greater thickness in the pipe and consequently greater cost?—Yes, undoubtedly.

4447. Now, supposing it was possible by amalgamation of schemes to supply the higher levels from Table Mountain so that it would not be necessary to provide for this 673 feet, that would result in a saving of cost?—Yes.

4447 (a). So that instead of the service reservoir of 463 feet, you were only supplying to about 300 feet, say, you would effect a considerable saving?—(No answer.)

4448. Have you made provision in this dam which you propose to build at Oliphant's Hoek for increasing its height; that is to say, has it been designed with a view of increasing its height, if necessary?—The dam has been designed by Mr. Wright, and his estimate of it has been accepted, but it is proposed that a Water Committee shall be appointed by the Council with a view to supplying me with further information which I have not got now.

4449. *Chairman*]. Water Committee of the Council?—Yes, there are a lot of things which I would have liked to have brought to your notice, but I had such short time allowed me that I have not been able to gather the data. As a matter of fact I am considering this very question of increasing the reservoir now.

4450. Of your own knowledge, you don't know details of all the works which have been proposed for storing water at Oliphant's Hoek?—Oh, yes, I do know that, and there has been no provision made as to the height of the dam, which is designed to hold 280,000,000 gallons of water.

4450(a). The dam is designed to hold 280,000,000 gallons and you cannot by building on to it increase that impounding capacity?—No, that is the capacity of the dam.

4451. So that if you had to increase the storage works there the estimate of £300,000 would have to be very considerably increased too?—Yes.

4452. *Dr. Anderson.*] You say that the city of Cape Town is asking you 1s. 6d. per 1,000 gallons?—Yes.

4453. And they supplied you up to January last?—Yes.

4454. What was the charge then?—I am not sure, but I think 1s. 3d. At any rate they are charging more now than what we paid before.

4455. And is that for any quantity that you would like to take or is there a fixed quantity?—I believe not above 50,000 gallons per day.

4456. *Mr. Dyer.*] Do you know the total quantity which Woodstock now receives from all sources?—Yes, somewhere about 200,000 gallons. That is now supplied by the Waterworks Committee.

4457. Can you tell us the quantity that the Railway Department gets?—No.

4458. And the breweries?—We cannot let the breweries have any at present on account of some agreement with Mr. Ohlsson.

Mr. R. W. Memmott. 28th April, 1902.

4459. As a matter of fact, I suppose, if you find the supply from Oliphant's Hoek you could still get your 200,000 gallons from the Water Committee, but you are only compelled to take 50,000 gallons per day?—Yes, under the Act.

4460. Can you tell us about the alteration in the size of the pipes?—The hydraulic gradient is so very steep—it is 1 in 41.

4461. *Chairman.*] Am I right in supposing that, in accordance with this estimate, the Council proposes to spend £300,000, and to get a delivery of 3,000,000 gallons a day, and that you propose to store in round figures 300,000,000, which means 100 days' supply?—Yes.

4462. But in the event that the dry season throughout which you may be unable to add to your storage lasts for 200 days, then you would have to increase your storage capacity by twice?—Yes; if we cannot get sufficient water from the one.

4463. To what extent would it mean increased cost? Would it be double?—No, it would not cost double.

4464. At present your scheme means to supply 100 days' consumption of 3,000,000 gallons per day?—That is if we are not allowed to take water from the stream.

4465. And if it were necessary to have 200 days' supply you must not depend upon the average flow of the river, but you must increase very largely the cost of construction?—Undoubtedly; we shall have to get more storage accommodation.

4466. Now, this estimate of revenue is based upon the consumption of 3,000,000 gallons per day?—Yes, but I think it is rather split up. Take the first one of $1\frac{1}{4}$ million gallons, from which we will get £27,000 and our expenditure in connection with it will amount to £17,000; therefore we will have a profit of £10,000, and that is only for the $1\frac{1}{4}$ million.

4467. But on what consumption of water is this estimate based?—On $1\frac{1}{4}$ million.

4468. But as far as the estimate of revenue—of probable income of £68,400—is concerned, that is based on a consumption of 3,000,000 gallons?—Yes.

4469. So that before you can get £68,000 out of revenue you must deliver 3,000,000 gallons of water?—Yes.

4470. And now how much of that 3,000,000 do you intend to supply?—Well, if we get the customers we intend to supply 3,000,000 gallons. We anticipate that we could sell at least one half.

4471. The point is the Council proposes to get a revenue from the sale of water based upon a delivery of 3,000,000 gallons for every day in the year?—Yes.

4472. But you are constructing works now only to store 3,000,000 a day for 100 days?—But now we get back to the abstract question again, and the riparian rights, which I cannot explain as I don't understand them.

4473. The Council has taken as real that they are going to get a water revenue based upon a daily supply of 3,000,000 for 365 days and by that they hope to get £68,000 for the year?—Yes.

4474. And your works now are only to store 280,000,000?—Yes.

4475. And if the drought extends over six or seven months of the year, you must be very much out?—Yes.

4476. *Dr. Gregory.*] You don't know where the rainfall returns are?—No, I don't know.

4477. How do you know that there are rainfall returns?—The only ones I have seen are published in the "Argus Annual."

4478. Are there any returns in the Municipal office?—The gaugings that were tested.

4479. Are there any records of previous gaugings to that?—I have not any.

4480. Have you searched your office for them?—Yes, but found none.

4481. What reports have you on this scheme in your office?—Only the one that I mentioned to the Chairman.

4482. Did not Mr. Wright draw up a report?—Yes, that is the one that I mean.

4483. And that has plans, drawings, and surveys connected with it?—Yes.

4484. There are in your office proper specifications and working drawings?—The specifications have not been drawn out yet.

4485. But there are some that the Council is prepared to furnish. Would you be able to furnish the working drawings and also Mr. Wright's report?—Yes.

4486. *Mr. Stewart.*] Would it not be advisable to keep a surplus in hand of this 3,000,000 that you propose to provide; that is to say, not to dispose of the whole 3,000,000 gallons?—Oh, yes, undoubtedly.

4487. Then the cost of the works will have to be spread over the quantity of water that you actually sold?—Yes; if we sell $1\frac{1}{4}$ million, we hope to clear £10,000 on it.

4488. And the price per 1,000 gallons would be very much higher if you only sold half of the water?—No, the price is put down here at 1s. 3d. per 1,000 gallons.

4489. And when you reach 3,000,000 gallons per day, you would have to increase your works?—Yes, if we are not allowed to take the water from the streams; but I must say to supply our wants for a good while to come it would be quite sufficient for us to have 1¼ million gallons per day. Mr R. W. Mermuir 28th April, 1902.

4490. *Chairman.*] As a Commission, we have to look at the future?—Yes, but we can provide for the future by putting further works down.

4491. As far as I can understand, I don't think you have given me the information on the point as to whether, supposing that it is advisable to restrict our report to the question of this water to Woodstock, you are in a position to assure me that you would be able to supply the 3,000,000 per day for the 365 days?—Well, it depends upon the quantity of water which is to go down the stream.

4492. The point is this: you cannot satisfy us that the supply either is there or that it is available for you?—The water is there, but to what extent we are able to use it I cannot say.

4493. *Mr. Stewart.*] Are you aware whether there is any opinion by Counsel as to whether you could put a dam on that river at all?—I am not sure.

4494. *Chairman.*] You have no real information to give to the Commission as far as I can see of the number of days in the year during which your Council would be able to add to your supply?—I have only these gaugings.

4495. From that I cannot see for how many days of the year the water required daily would really run in the whole flow of the stream, suppose you get it?—We could keep on going very nicely. If the Court were to hold that we should allow one million gallons per day to go down the stream we should still be able to go along very well. More water comes down in March than in any of the other months, and the difficulty is to know to what extent we shall have the right to the stream.

4496. Do you know whether Mr. Wright will be prepared to give evidence before the Commission?—I don't know.

4497. *Mr. Gurney.*] He is away just now, is he not?—Yes.

4498. *Chairman.*] Has your Council instructed you to make any observations in connection with drainage?—No.

4499. So that you are not in a position to give any evidence about the proposed drainage scheme?—No.

4500. Who is in charge of that matter?—Mr. Olive; it was done before I came.

TUESDAY, 29TH APRIL, 1902.

Present:

Hon. Sir Bisset Berry (*Chairman*).

Dr. A. J. Gregory.	Mr. W. E. Gurney.
Dr. A. J. Anderson.	Mr. T. Stewart.
Mr. Lawrence.	Mr. J. E. R. de Villiers.
Mr. T. N. Dyer.	

Messrs. William Edward Moore and *George Conrad Behr* further examined.
[*Mr. Moore* principally answered all questions.]

4501, 4502. *Chairman.*] Your Engineer yesterday, by the evidence which he gave, suggested one or two questions which I should like to put to you, although in some respects it will bring us back to points upon which you gave evidence the other day.—We shall be prepared to give now any further information which it will be in our power to give, and we shall be glad to answer any further questions. Messrs. W. E. Moore and G. C. Behr. 29th April, 1902.

4503. I understand now that it is an essential feature of your proposals with reference to the Oliphant's Hoek scheme that you have to dam up the river?—It is one of the essential features.

4504. It is clear that you must dam up the river?—Yes.

4505. Now the river which you call Wemmer's Hoek or Oliphant's River is known locally by that name, but, as a matter of fact, it is really part of the water system of

Messrs. W. E. Moore and G. C. Behr.

29th April, 1902.

the Berg River?—Well, I am not prepared to answer that question, except in so far as it flows into the Berg River; I have not personally visited the spot.

4506. But it is part of the system of the Berg River?—So I presume from the natural formation of the country.

4507. That raises a point in our minds that the water rights on that stream, as a tributary of the Berg River, cannot simply be determined by the people that live on that stream. If the Oliphant's Hoek Stream is part of the Berg River system, then it seems to our minds that the question of the water rights must have regard to the riparian proprietors along the Berg River?—A riparian right really is the right of the party who uses that which he claims a right to; but if there is in existence, and has been in existence for centuries, a flow of water that has never been used, then I take it that no party, living on the borders of the river and who never utilised the water, can claim a right to it, but that of course is a question of law.

4508. That is rather an intricate question of law?—Yes; and I take it that a man who claims the right must prove that he exercised that right for a period of prescription, which at present is thirty years.

4509. It would also mean that if no one has interfered with him for the thirty years, he would have a right in the water?—No.

4510. If it is passing his farm and no one has claimed it?—No; he could however utilise it, but could not prevent others from utilising it.

4511. I am not lawyer enough to go into that?—That is what I take would be the principle that would be established.

4512. But your deputation went to the Colonial Secretary the other day and he informed——?—Do you speak of the deputation of ratepayers?

4513. Yes.—Well, I was not on that deputation.

4514. I am asking you a question on the newspaper report of what took place between this deputation and the Colonial Secretary. The Colonial Secretary said to the deputation that the point of giving his consent to your purchase of these rights had been submitted to the Law Department, and the advice he got from the Law Officer of the Crown was "that it would be absolutely impossible for the Colonial Secretary to give his consent to the purchase of the water-rights without committing himself to the whole scheme." Now, what I want to know is whether it is within your knowledge that the point submitted to the Law Department was only the financial question, or partly the financial question and partly the question of the water rights?—I dont't think the question of the water rights was touched at all. I had an opportunity afforded me by the Colonial Secretary to read the legal opinion, and as far as I can remember I don't think it dealt with the question of riparian rights at all.

4515. There is another point, Mr. Moore: Mr. Behr said the other day that it was within the range of possibility that the normal flow of this stream would have to go down the river through the reservoir: then it follows, if that is so, that the 3,000,000 gallons which you propose to take out of the reservoir daily must come into the reservoir over and above the 3,000,000 gallons which you propose to let run down the river, taking 3,000,000 gallons to be the normal flow of the stream: do you follow me?—Yes, but I don't agree with that view.

4516. Then there must be disagreement between the witnesses?—That may be.

4517. Let us come to a clear understanding upon it: Mr. Behr is of opinion that at any rate it is within the bounds of possibility, that the normal flow of the stream—assuming that the normal flow of the stream is 3,000,000 gallons—will have to go down for the benefit of the lower proprietors: well then, you propose to lead out of your reservoir another 3,000,000 gallons, so that it must follow that there must be all the year round 6,000,000 gallons—3,000,000 to go down the river and 3,000,000 to be led away to Woodstock?—Yes, if that assumption is correct.

4518. Then we have it suggested that for six months of the year nothing but the normal flow of the 3,000,000 gallons will flow in the Oliphant's Hoek River?—I follow you.

4519. Therefore it would follow from that that during the other six months you must store 3,000,000 gallons per diem in addition to the 3,000,000 gallons that you abstract?—Yes.

4520. That must mean that for six months of the year you must retain in your reservoir 6,000,000 gallons, 3,000,000 gallons of which are to be stored for the time of famine?—Yes.

4521. And that means that you consider that the concession you bought from Mostert gives you the right to the stormwater of the whole of that area?—Yes.

4522. Now, has it been settled in the law of this Colony that supposing your water rights have been legally and properly obtained you have a right to the stormwater as well?—That has been decided. Whatever is created as it were by a Council

or body or Corporate body that is theirs, even if the assumption is correct that they have to allow the whole of the quantity coming from the s pring to flow away : That point was decided in the case of the Waterworks Company with Struben: There under particular title deeds, certain dipping rights were acquired, but to enable these persons to exercise these dipping rigats a certain quantity had been transfe rred to the flow of the river; that was specially created by the deed-co ntract between the parties; and the Court held that whatever storage was made by the Company was their property, although specially in terms of this deed they would have to allow the natural flow of the Liesbeek.

4523. But you are now speaking with reference to a specific spring?—Yes.

4524. I am speaking with reference to stormw ater, and I don't know how this question of a specific spring covers the question I raise in connection with the stormwater: has it been decided that the stormwater falling on such an area as you have—some 34 square miles—belongs to the owner of the individual strip on which it falls, according to the law of this Colony?—I cannot quote a case, and I would have to look into the decisions upon these matters, but I take it tha t it would be held that there are no riparian rights in regard to stormwater.

4525. Is that so?—I think that would be the decision, and I see there is a legal member on this Commission who would, no doubt, be able to throw some light upon it. That is my view, however, on the spur of the moment; but one would really have to look up the decided cases.

4526. You say that in terms of Mr. Mostert's concession you claim the right in perpetuity to lead away that supply of water per annum, for which you claim to have paid £25,000, and you claim to bring that water to Woodsto ck and sell it for £68,000 a year and thus take the water away from the people along the Berg River, who from time immemorial have had the right to it and considered it their property?—But they have never used it.

4527. Then supposing that is so, does the right in the property stand or fall by the fact of use?—I think so. (*Mr. Behr*): But the Wemmer's Hoek river itself discharges more than 3,000,000 into the Berg River. (*Mr. Moore*): The principle would be the same.

4528. The Engineer yesterday shewed us gaugings taken below a point where certain three streams join, all three of them thereafter flowing into your reservoir area. We admit that it is quite possible that from the large collecting area which you have there may be a good deal more water than we are assuming, but we don't know it. The evidence we have in front of us shews that the gaugings have been taken for such a short time that we are not at liberty to assume that anything more than the 3,000,000 gallons per diem is normally the flow of the stream and that is a question that seems to me will have to be settled?—There were gaugings for three different months.

4529. Quite so: and for nearly half of that the return of gaugings were below 3,000,000 gallons?—Yes, I take it that would be the normal flow.

4530. But we have not got it before us?—I suppose that the parties who claim the rights would have to establish first of all what is the average flow. Supposing the maximum flow were 5,000,000 gallons per day, and the minimum flow 1,000,0 00 a day, they could not claim 5,000,000 gallons; they would have to establish what is more or less the average flow to be allowed to run into the river: That I take it would be common equity.

4531. Of course I put these questions on the assumption which Mr. Behr gave us the other day, that it would be quite possible that you might be compelled to let the normal flow of the Wemmer's Hoek River, which is a tributary of the Berg River, go down to the Berg River; and by the gaugings before us yesterday the average flow—normal flow—of the river would be about 3,000,000 gallons; are we likely to be far out in assuming that as the normal flow of the river, for the sake of argument?—Of course we assume that it is possible, but that does not follow that it is probable.

4532. Quite so, of course; but looking at the scheme all round we have got to take possibilities into consideration as well?—I would respectfully submit probabilities

4533. Of course we might find ourselves in a position that we may have to call some legal experts on this question and on the question of the ownership of storm water. Evidence on these points may have to be led, because at present it seems to me that you claim the ownership of the stormwater and the right to impound it, and thereafter to bring it to Woodstock, and there may be a legal point as to whether stormwater may be diverted after it flows into the bed of a perennial stream?—That has been decided.

4534. That you can impound in the stream?—Yes.

4535. There was just one other point: about the estimates. The Engineer said, and I suppose you concur, that the storage capacity of your reservoir is a little under 300,000,000 gallons?—Of course we accept the estimate of our engineer.

Messrs. W. E. Moore and G. C. Behr. 29th April, 1902.

4536. And he says that is a 93 days' supply of 3,000,000 a day?—Yes.

4537. Well, we put the question to him, "Suppose that it is not an unreasonable assumption that the dry period instead of being 90 days shall be 200 days, would not that mean that you would have to be prepared to store 600,000,000 instead of 300,000,000 gallons, and would not that to a very large extent increase the necessary cost of the scheme"?—You mean of the means of preserving the water?

4538. Yes.—Of course, naturally, if you have one reservoir which costs a good deal, and you have another reservoir, it will cost so much more.

4539. So that it appears there are not sufficient data on which to form an opinion as to the cost of the work: that is really what it comes to?—Of course, that is assuming that there is such a period of drought as you have just mentioned (you would say that you have not got that information before you), but as as a matter of fact we have not at this end of the Colony such periods of drought. The last summer has been the driest for a series of years.

4540. According to the returns by the Meteorological Commission, the possible period of drought for the Cape Town area must be calculated at seven months in the year?—Consecutive?

4541. Yes—I did not know that. But even with this dry season you must bear in mind that there was no decrease, for instance, in the Albion Spring.

4542. I am speaking now about the reservoir?—Of course, in any increase the Albion Spring is greatly affected by the rainfall.

4543. And there are large rises and falls of quantity?—Exactly so.

4544. But the point is this: that the Meteorological returns for a number of years shew that occasionally you may have a dry season of seven months' duration on Table Mountain, and therefore in Oliphant's Hoek equally it is probable that the seven months' dry season may intervene during which you must be able to have the water brought down to Woodstock?—Of course if there is no rainfall there is no storage of water.

4545. And therefore it would seem that you must be prepared, if your scheme is to be adequate as to the future, or even immediate requirements, to store something like 600,000,000 gallons of water?—Of course that could be done by increasing the works. I am not an expert engineer but the embankment which is to be raised is about 60 feet high. If another ten feet were put on top of that of course it would give a larger proportionate increase in the supply.

4546. But you are not aware whether your engineer has made his plans of the base of the reservoir wall with the view to permit of that elevation?—I think so. You asked me a question the other day, Mr. Chairman, whether the Committee of Management had had an offer by Woodstock in regard to the water question and I have brought with me a copy of a letter which was addressed to the Town Council of Claremont. This letter was sent after we had acquired the rights but before the Arbitration proceedings and it is as follows:—

"November 15th. 1899.

"The Municipal Clerk,
"Claremont.

"Dear Sir,

"I am instructed by the Council to ask you to put before your Council in Committee the following matter:—

"This Council has a farm offered them, 786 morgen, about 35 miles from Cape Town, plentifully supplied with water, for the sum of £30,000. The farm has been visited by the Mayor of Woodstock and the Engineer, who found abundance of water at the end of last summer, and thought if the farm were purchased by the two Councils, Claremont and Woodstock, the water supply could be considerably augmented and included in the Waterworks scheme.

"The water rights and two farms below can be purchased for the sum of £9,800, to allow a pipe to be taken through, but the owner of the farm has offered to purchase these and to include a water right through in the £30,000, should the Council purchase the upper farm.

"Will you be good enough to lay the matter before your Council and inform me of the result."

4547. Well, I will just read to you the evidence which was given before the Commission the other day by a member of the Joint Committee, as follows:—"Have you any other scheme afoot?—There were two schemes afoot—the Steenbras River scheme and the Oliphant's Hoek River scheme. There have been several inspections of these localities, but the Oliphant's Hoek scheme has been with-

drawn from the Board participating in it. When it was offered in the first instance, I was present at one inspection, and it was after that that it was withdrawn, for what reason I do not know." (*Mr. Moore*)—Whose evidence is that; is that Mr. Tonkin's ?

4548. No; the evidence proceeds as follows:—"Have you a resolution from the Woodstock Council to that effect?—There has been a decision to that effect.

"Have they approached you by resolution?—They invited the Municipalities and the Joint Committee to inspect the sources of supply.

"Did they at that time intimate that it was their intention to place that supply at the disposal of the Water Board?—Yes.

"And that has now been altered?—Yes."

So that in view of that evidence we were bound to put that question to you?—There has been no resolution subsequent to that letter.

4549. *Mr. Gurney.*] It was subsequent to this letter that Mr. Mostert acquired the riparian rights?—Oh yes; and he had to pay very heavily, something like £12,000, I believe.

4550. Then there was a question about water boring: Mr. Behr said that he would refresh his memory with regard to that matter. You were not able, Mr. Behr, to recollect that a firm had been employed at a cost of £184 to make borings on the side of the mountain which were abortive, although that firm had offered to produce water elsewhere in Woodstock subject to their being paid £500 on the production of a supply of 50,000 gallons per diem?—(*Mr. Behr*): That is so, but the firm wanted to bore in our yard, and even if we had obtained 50,000 gallons there it would have been of no use to the inhabitants, unless expensive pumping machinery were gone in for.

4551. The point is: the offer was not limited to boring in the yard?—Yes, it was limited to boring in the yard either behind the Municipal offices or in the front garden. (*Mr. Moore.*) The Council passed a resolution that they should bore for water and the question was asked "where should they bore?" and then they said "In your yard or in front of the building," and as we wanted to obtain an increased supply for the inhabitants of Woodstock the matter was absurd on the face of it, to bore for water at this low level to supply the inhabitants at the high levels or even in the immediate neighbourhood. However, it was decided that we should call for tenders, and a tender came in for £390, but it was so absurd to spend that sum of money for water which would only be of use for the Municipal offices that the Council decided not to have it.

4552. *Mr. De Villiers.*] Have you taken Counsel's opinion on the question of riparian rights on the Berg River?—No

4553. You said just now that you thought that a riparian owner could not claim water unless he had been accustomed to use it?—Yes.

4554. Are not the Berg River and the Oliphant's Hoek River both known as, what is called under our law, perennial streams?—Yes.

4555. Is it not a fact then that any owner of land by or through which such a perennial stream flows is entitled to the water for the purpose of irrigation, independently of prescription or use?—I am not prepared to answer that question. It is such an important question and involves so much as regards water rights that it requires a deeper search into the decisions upon the subject.

4556. Well, do you think that none of the proprietors on the Berg River use the water as an actual fact?—As far as we have been able to ascertain they have not been using the water except with a very few exceptions. One does not wish to expose one's hand in case any of the parties should bring an action, and, at the Paarl, there is a firm of Mossop & Frater who use the water for their tannery, but besides them I believe that only a few washerwomen are using the water for washing clothes. Take the Paarl Municipality. I was informed that this very Oliphant's Hoek had been offered to them, but they had not the courage of their convictions, and did not buy it. Now that Woodstock has secured it they raise a storm in a teapot. At all events, so far as we have been able to ascertain, no one has been using the water for irrigation purposes.

4557. It runs through Piquetberg and Malmesbury districts?—Yes, and finds an outlet into the sea at Saldanha Bay.

4558. And now the question is: Has every man living along that river the right to claim the water from whatever source it may flow?—That is a question that the Court will have to decide. And it must be borne in mind that the Berg River starts much higher up in the French Hoek Mountain, and that the Wemmer's Hoek is a small tributary stream.

4559. *Chairman.*] But is it not so that if you may draw from that tributary, Rondebosch and Mowbray may draw from the other tributary?—Yes.

4560. And therefore by taking the individual tributaries you may take all the water?—No the river must have its origin, the Thames has its origin.

4561. But you are prepared to admit that the eight or ten Companies of London can only take a certain amount of the water out of the Thames; they cannot take the whole of the stream, and have to allow a large quantity of the water to flow down the river?—I don't know that. All I know is that the user is not interfered with thereby.

4562. But may not any other Municipality do the same as you to every tributary of the Berg River and so empty the Berg River?—I am not prepared to admit that.

4563. *Mr. De Villiers.*] Take the case of a farmer in the Malmesbury District who does use the water for irrigation. If after you have constructed your reservoir the flow of the water down the river is weaker than before and such a farmer sues you in consequence, don't you think that the case will go against you?—I don't know; these cases are continually cropping up in Court and each case has to be decided upon its own merits. A person must prove he is user before he can claim the right. Take the case of a river where the course has been diverted, where the property of one man on the one side of the stream is brought into the property of another on the other side of the stream by the diversion, and as the former man has had the use of the water for 30 years he claims the right and so streams are continually diverted.

4564. Would not that apply to a stream which is not perennial?—I don't know—such a case has occurred at Wellington.

4565. You have mentioned the case of the Cape Districts Water Company and Struben?—Yes.

4566. Was it not stated there by the Chief Justice "that independently of prescription or contract an upper proprietor will be restrained from diverting any portion of the customary flow of a perennial stream unless he can prove that no injury can possibly result from such diversion"?—I am aware of that decision, but take, for instance, the situation and the position of the river at the Paarl. There they have not used the water and they could only do so by pumping it up.

4567. In any case the general principle would apply to the dam you are constructing at Oliphant's Hoek?—No; assuming, for the sake of argument, that every drop of water that flows from that stream would have to be allowed to flow into the Berg River, then, nevertheless, whatever water had been stored by the Council would be the property of the Council.

4568. Stormwater?—Yes, the stormwater which has accumulated in the reservoir.

4569. But is it not a fact that the question of stormwater has not been decided in our law—that it is a moot point?—I don't know what the Roman-Dutch authorities say upon that matter, but at all events it is clear that the point has never arisen in Court, and we know that persons have stored water and used it; and we may assume that if they were not entitled to do so the question would have been raised long ago.

4570. *Mr. Stewart.*] Have you ever had Counsel's opinion as to your power to build this dam on the river?—No, because we don't think it necessary.

4571. It is the case, I believe, that any stormwater collected before it enters a stream may be taken away?—I believe so; yes.

4572. But has it been settled that stormwater having once entered a definite stream may be taken away for other purposes than the use of the land?—I don't know. I cannot say on the spur of the moment—one would have to look into the authorities and decisions in the matter.

4573. I only wanted to know whether a decision had been given?—I don't recollect one at the present moment.

4574. Do you happen to remember anything about the Arbitration proceedings which took place between the farmers in the Hout Bay Valley and the Wynberg Municipality about 12 years ago, when Wynberg diverted water for the use of the town?—I have some recollection of the case.

4575. You don't know that notwithstanding that a certain amount of water was allowed to flow down the River, Wynberg had to pay certain of the farmers in that valley although they had not really used the water?—Was that a decision of the Court?

4576. No—Arbitration?—Can you tell me of whom the Arbitration Court consisted; whether there were any legal men on it?

4577. I don't know the constitution of the Arbitration Court, but we will let that pass. You stated that the last summer was the driest season which we have had for years. Upon what information do you base that?—Ocular demonstration.

4578. You would accept the returns of the Meteorological Commission as a guide?—Most decidedly.

4579. Have you studied them?—No.

4580. Would you be astonished to hear that the last dry season was considerably over the average, as a matter of fact?—Of rainfall do you mean?

4581. Yes.—Well, not being a meteorologist, I have simply taken my observations from the weather.

4582. Do you remember the years 1894, 1895 and 1896?—Do I remember these years?

4583. The dry seasons, I mean.—Well it is rather difficult now to recollect exactly the nature of the dry seasons. One would not recollect unless there were some special incidents fixing one's mind upon them.

4584. You will admit that the records from the rain gauges of the Meteorological Commission are the best guide?—It would be absurd for me to say otherwise or to urge my judgment against theirs.

4585. You say the Albion Spring is greatly affected by rain. On what information was this based?—From our Engineer, and the fact that the Water Management Committee were unable to supply certain people. They had a number of applications which they could not meet from builders who offered to pay for every 25 gallons that we could supply the price charged for 100 gallons, and after the rain we found that we could supply much more. This information I have gathered from the report of the Engineer.

4586. Was the increase not from the slopes of the mountain?—Well, that I don't know—I am not an Hydraulic Engineer; perhaps there might have been a leakage on the top of Table Mountain.

4587. If the Albion Spring were greatly affected by the rainfall, it is possible that it might be due to the rainfall as much as to a leakage from Table Mountain?—I think more probably the rainfall than the leakage from Table Mountain. I wish to say, Mr. Chairman, that you asked me a question about the gaugings of the Albion Spring, and I have got them here now. My firm conducted the arbitration case and these gaugings were produced before the arbitrators.

4588. *Chairman.*] Do they extend over a number of years?—Yes, for 1893, 1894, 1895, 1896, 1897, 1898, and 1899.

4589. We may take it that these are vouched for?—Yes, these were produced in evidence and I will put them in. (Documents put in).

4590. Then I think Mr. Behr promised to supply us with a copy of the form of debenture?—I have brought that, Mr. Chairman. (Form of debenture put in.)

4591. And then we were to get a copy of the form of guarantee signed in favour of the Standard Bank in respect of your application?—That would come from the Water Committee.

4592. The point arose in this way: Mr. Behr was unable to say whether the Town Council of Woodstock had entered jointly and severally with the other Municipalities into the undertaking in the sum of £300,000, or whether they had only entered to the extent of £75,000?—It is a joint and several liability. The Bank holds that they are jointly and severally liable for the present amount advanced. The four different Municipalities had empowered the Water Management Committee to borrow the £300,000 and to issue this debenture.

4593. But the Councils are jointly and severally liable in respect of the £300,000?—Yes.

4594. Then Mr. Behr also promised to get us the gaugings of the Oliphant's Hoek for 1899, 1900 and 1901, I believe?—Mr. Wright, who is away at present, has got those.

4595. *Mr. Gurney.*] In this form of debenture there is a clause: "The said sum of two hundred and fifty pounds sterling, with the interest thereon, is charged upon and made payable out of the revenue of the said Municipality." This does not seem to contemplate the condition that the debenture was payable only out of a loan which you were subsequently authorised to raise?—The whole purchase amount will eventually come out of the loan.

4596. I think it was Mr. Moore who said that the debentures were not a loan but only in the nature of promissory notes?—No, I said that it was the balance of the purchase price, and would have to be paid when the debt became due, and when we obtained the loan we would pay that as part and parcel of the whole. There are others equally capable of judging, and they hold the same opinion.

4597. That does not seem in accordance with the wording of the debenture, which says "Made payable out of the revenue of the said Municipality." Does it not?—If it were paid out of the revenue, the revenue would be repaid.

4598. As a matter of fact it is the ordinary class of debenture used by your Council in the matter of raising loans?—I don't know at the moment, but I hardly think that. The interest is payable out of revenue on the former debentures and they would have to raise another loan to pay off the other.

4599. But your debenture reads that it is payable on a certain day (although in some cases there may be 25 years interim) and that it is repayable out of the revenue of the Municipality. That is the ordinary form is it not?—Yes.

4600. And this particular form of debenture reads "That it is payable on the 1st June, 1906, out of the revenue of the said Municipality" ?—Yes.

4601. So that there is nothing in the form of the debenture which would make it different from the ordinary form?—Yes it is different, because it reads "That the Municipality of Woodstock acknowledge themselves indebted to Cornelis Mostert in the sum of £250 sterling, part of the purchase money of the farm Oliphant's Hoek and of certain rights to the water flowing therefrom," and the debenture holder is to receive interest, such interest to be payable at the Municipal office on the said sum of £250 sterling."

4602. Quite so; it is the ordinary debenture form which is payable out of your ordinary revenue just like any other debenture?—Yes, that is because we have no loan at present, but the moment we get a loan it will be paid out of that and in the meantime the Council are to be responsible for it.

4603. Your ordinary debentures issued under authorised loans read in this way: "Payable out of revenue by the said Municipality"?—Yes.

4604. And in that respect this debenture is just like the ordinary debenture issued under the Loan Act?—Yes, in that sense.

4605. In what sense then is it differently worded?—It is an ordinary acknowledgment of debt for the properties.

4606. But in what way does it differ from the former debenture?—It is an acknowledgment and states the cause of the debt. In one case you renounce the exception *non numeratae pecuniae* and in the other exception *non causa debiti*.

4607. *Mr. Stewart.*] I asked you the other day, Mr. Behr, whether in considering the cost of the works at Oliphant's Hoek provision had been made for raising the dam wall so as to hold 6,000,000,000 gallons, and if I remember rightly your answer was "Yes"?—Yes, that was my answer.

4608. Have you looked that up since?—No, but I think that is the fact. Mr. Wright in his estimate has allowed for that, and Mr. Menmuir knows of it as well. I don't think Mr. Menmuir made up the estimate.

4609. I ask you that question purposely now because Mr. Menmuir said in answer to a question yesterday that no provision had been made beyond 60 feet?—I am under the impression that at the time it was decided that provision should he made to raise the wall to double its height.

4610. But Mr. Menmuir told us yesterday that that provision has not been made?—I am certainly of opinion that Mr. Wright allowed for that.

4611. But Mr. Menmuir stated quite the contrary?—Then I don't know.

4612. *Chairman.*] I believe, Mr. Behr, you stated in answer to Dr. Anderson when he asked you "whether some plans had been prepared before the ratepayers' meeting and by whom," you answered "Mr. Menmuir, the Municipal Engineer"?—Yes.

4613. And yesterday Mr. Menmuir said that no provision has been made?—I don't know.

4614. But Mr. Wright made the original plans of the work?—Yes, as far as the levelling and taking the contour of the valley were concerned, and these papers were handed to Mr. Menmuir, who was not in the employ of the Council at the time when Mr. Wright made them.

4615 Then Mr. Wright had nothing to do with the plans of the reservoir wall?—I think he had.

4616 Have you got these plans?—Mr. Menmuir has them. He brought them specially with him yesterday.

4617. *Mr. Stewart.*] We did not see these plans?—Oh, but he brought them with him yesterday.

4618. *Chairman.*] Could we have them?—Mr. Menmuir had them with him yesterday. (*Mr. Moore*): I think all the information necessary to enable the Minister to give his consent to the scheme has been sent to the Colonial Secretary, and I presume that the Commission could obtain it from the Colonial Secretary. It was very elaborate. (*Mr. Behr*): These plans have been returned by the Colonial Secretary.

4619. *Mr. Stewart.*] You promised us the other day, Mr. Behr, that you would let us have a look at these plans?—I did, and Mr. Menmuir brought them specially for that purpose.

4620. *Chairman.*] Perhaps you will see that we are supplied with these plans?—Yes.

4621. Mr. Menmuir gave us to understand yesterday that the dam wall was planned only to hold a certain capacity?—Yes, 280,000,000 gallons.

4622. Coming to the question of drainage, we should like to have some information from you, Mr. Moore. To what extent is Woodstock sewered and drained?—Surface mostly, with the exception that we have just at present a small bit draining the hospital,

where we have laid down certain pipes, in addition to a few from other parts of the town.

4623. Beyond that it is all surface drainage, and all sanitation then is done by means of the collecting arrangement?—Yes.

4624. Now, you have an Engineer just now who has been engaged in planning out a sewerage scheme?—Yes, a Consulting Engineer.

4625. That is Mr. Olive?—Yes, he was engaged before Mr. Menmuir came.

4626. Mr. Menmuir stated that he had nothing to do with the drainage works of your Municipality?—Mr. Olive is our Consulting Engineer, and he is responsible for the whole plan.

4627. And a scheme has been prepared by Mr. Olive and submitted to your Council and adopted by the ratepayers?—Yes.

4628. And up to this time you have spent a good deal of money on that scheme—some thousands of pounds—have you not?—I don't know the exact amount, but Mr. Olive received £500, which is part of his remuneration in the event of the scheme being carried out.

4629. The total amount actually spent to date on drainage and sewerage is £16,333?—No, that is not in connection with the drainage scheme, but in connection with the three outfalls which we have at present in the Bay taking off the sewage water. Some drains are closed and some are open. At any rate, that amount represents our expenditure on the present drainage.

4630. It includes some stormwater drains, too?—Yes; three stormwater drains. We have laid 21,902 lineal feet of piping, ranging from six inches to twenty-four inches, at a cost of about £16,000.

4631. In all, the amount that you intend to raise for this scheme is £105,000?—Yes.

4632. And there is another point given here—the total length is 21,902 lineal feet?—Not under the contemplated system of drainage.

4633. These are smaller drains in various parts of the Municipality?—Yes, for house water; nothing in the way of closets.

4634. *Dr. Gregory.*] Are they surface drains?—Yes; with the exception of certain portions—slops and surface water.

4635. Now, can we get this plan of your drainage submitted to us?—Oh yes, but I suppose it will be returned to us.

4636. You have had a meeting of the ratepayers to consider this?—Yes.

4637. And they have authorised you to go on with the scheme?—Yes, we have had several meetings. There were some new members, including myself, who requested some little time to look into the matter and the meeting was accordingly postponed, but afterwards the ratepayers came together and authorised the Council to take the necessary steps for raising the loan.

4638. You have raised no loan yet?—No, they are only preparing the plans. We have been in correspondence with the other Municipalities, and it is only recently that they have agreed to come into our scheme.

4639. It is intended that Claremont, Rondebosch, and Mowbray Municipalities should work with you in this scheme?—Yes, that is that they should join in the outlet. Of course each Municipality would look after and be responsible for the drains in their own area to a certain point, whence to the outlet it will be a joint thing.

4640. And has your Consulting Engineer in charge of the drainage or of the proposed plans for this work consulted the other Municipalities?—I believe he has been consulted.

4641. Not within your knowledge?—No, I am not positive, but I think he has been consulted.

4642. You don't know to what extent the plans proposed are adapted to the other Municipalities with a view of working into yours?—They will work into ours only at the outlet. There is a certain position where they will join in.

4643. Has that been before you by official correspondence?—Oh, yes. It will be from the intake to the outfall, because the locality of the outfall was in a measure dependent on these other Municipalities joining. If they had not joined, as I understand the position, then the outfall would have been placed at a greater distance, because then there would not have been sufficient flow to enable them to have a shorter outfall, but, by the others joining, it has enabled us to change the position of the outfall.

4644. *Chairman.*] There must be correspondence between your office and the other Councils on this scheme?—Oh, yes.

4645. Can we get a precis of that correspondence?—Yes.

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4646. And could we get definite information to what extent the whole of the scheme is to be devised and carried out by the one engineer?—Oh yes, we could get that for you from Mr. Olive.

4647. We have approached Mr. Olive to give evidence before the Commission, but he has refused, and he being your engineer we thought that we might be able to get the information through you?—We could ask him how far he has got with the scheme.

4648. The scheme of the four Municipalities based upon plans submitted by one engineer and which will eventually work into one another on the strength of his reputation as an engineer?—Yes, I will ascertain from him.

4649. As far as I understand from reading about your scheme and from the evidence before this Commission the whole of the crude sewage right away from the furthest point of Claremont would be brought down and discharged by the outfall into Table Bay?—Yes.

4650. Now, are you aware that the Harbour Board is the Conservancy of Table Bay?—To a certain extent. I believe up to a certain line.

4651. Have they not got the conservancy right up to Blaauwberg?—I don't think so.

4652. Is it not a fact that their powers have been extended only recently?—No, I did not know that. They have certain powers, and a proclamation was issued and their line extended from the Flash Light in a direct line across to a point outside of the mouth of Salt River. That is where the mouth of Salt River originally flowed on the Milnerton side, but I am not aware that recently there has been another proclamation giving them further powers.

4653. Then, does your outfall come within or outside of what you suppose to be the line of the Harbour Board conservancy?—As far as I can gather, I think it would be within.

4654. Then the Harbour Board, it is clear, will have jurisdiction in this matter?—Of course, if they raise any objections, they will have to be dealt with.

4655. Their consent has not been secured up to the present?—No.

4656. Now, suppose that the Harbour Board positively refuse to allow you to have that outfall, what will happen then?—We could go to Court.

4657. Well, suppose the decision is given in favour of the Harbour Board and against you?—Then we should have to look in another direction. The question is this, whether the Court would consider the mere objection of the Harbour Board, whatever theories they might advance, should be put in the balance with the health of a large number of the inhabitants.

4658. It would really depend upon the Court's interpretation of the Harbour Board's Act?—Evidence will have to be led in the matter.

4659. The Harbour Board has certain powers under an Act of Parliament, and under that Act they have the right to make regulations for the management of the Port?—Yes.

4660. And under that Act the Harbour Board has already interdicted the discharge of sewage into Table Bay?—It is discharged into Table Bay at Fort Knokke.

4661. Are you not aware that that has been interdicted for some time?—No.

4662. But it has?—It is still continued.

4663. What reason has Cape Town for taking its sewage outside the Breakwater?—They were placed between the Harbour Board and the Woodstock Town Council. When they first oontemplated putting out their sewage on the other side of the Military Hospital, the Woodstock Council applied to the Supreme Court for an interdict, and the Cape Town Council said that no nuisance had been proved. And although the interdict was not granted the Court held that the Woodstock Council need not wait until a nuisance had been created; since then we know that the odours there have been at times very offensive, but at the same time, it is news to me to be told that the Town Council would be interdicted from carrying their outfall there.

4664. I don't know whether they have been interdicted by the Court, but the Harbour Board has stopped it?—I am not aware of that, and I may add in further answer to your question about Cape Town carrying their sewage outside the Breakwater in the direction of Green Point, that I presume it was with the object of meeting the needs of the people of Green Point; that for that reason they carried it that way instead of emptying it into Table Bay.

4665. Was it not one of the reasons why the sewage was carried beyond the Breakwater that they could not discharge it into the Bay without creating a nuisance to all concerned?—I don't know.

4666. Are you aware that even the Harbour Board people themselves are now at the present moment making arrangements to carry their sewage to the other side of the Breakwater, making use in that behalf of the Harbour?—No.

4667. And that they are doing so solely because of the fact that a nuisance is created in Table Bay?—I can well understand that a nuisance might be created in close proximity to the Docks, but we have the evidence of the Consulting Engineer, Mr. Olive, and he is satisfied that where we propose to place this outfall all the sewage that comes out through it will be swept away out into the ocean.

4668. Well then, if there are engineers who have observed the currents in the Bay and are prepared to give evidence in opposition to that, what are we to do?—I don't think that there are any.

4669. Such evidence has been given before the Commission?—I am not aware of that. We have the evidence of all those who have been for years and years studying and observing the currents.

4670. The evidence is that there are no currents which can be relied upon to carry the sewage out into the Ocean. I am not raising this question merely to trouble you, Mr. Moore, but it is an interesting point?—I quite agree with you.

4671. We must get at the bottom of the thing. Your scheme is based upon unrestricted outfall for the crude sewage of perhaps 100,000 people, and eventually perhaps 200,000 people. Now assume that you are interdicted by the Harbour Board, would the effect of that not be to upset your plans to a very serious extent?—Yes, but we never contemplated that, because we never anticipated that any obstacles would be put in the way of a scheme of that kind. As I have said from the evidence we have had—amongst others Captain Perry and Mr. Good—men who have studied the matter for years, it appears that the sewage will be carried out into the sea by currents. I can quite understand that the currents b ing broken by the Breakwater will be more sluggish in their flow inside the Breakwater than outside, and that therefore it is quite possible that a quantity of stuff will be deposited on the shore in the same way that it was at the outfall of the sewer of the Military Hospital where a diver went down to inspect, and his report was that it was simply one bed of excreta. The water did not decompose it.

4672. The water prevents decomposition?—Yes; when the "Thermopylae" was wrecked at Green Point, she had a large quantity of wool on board, and there was a good deal of it floating apparently across to Blaauwberg. All found its way into the ocean, and none came to the shore, so that there must be a current.

4673. Then, according to that showing, the wool was being carried across to the Blaauwberg beach?—No, the current carried it in that direction, but it went in between Robben Island and the Blaauwberg beach side, and was taken right out to sea.

4674. Have you any evidence to show that wool or sewage deposited at the mouth of Salt River will be similarly carried out to sea?—This deduction is drawn from the evidence we have on these matters, from gentlemen who have studied them for many years.

4675. Well, the point that we as a Commission have to look at is this: That we find it very probable that the Harbour Board has the power to prevent this being done, and it becomes therefore necessary to consider what is the best thing to do. Now, as far as you know from your Engineer, can you tell us if provision could be made to dispose of the sewage in any other way?—There was a discussion about the septic tank, but I am not conversant with that.

4676. The difference is that the crude sewage is got rid of and then the effluent is so pure that it could be put into a stream?—That is, the liquid?

4677. Yes; the solids are got rid of. Now to what extent could a system of that sort be interpolated into your scheme?—I don't think that anything of that kind has been contemplated.

4678. You see if we had your Engineer before us we could put those questions to him, but now the only one we can ask about these matters is the Mayor?—The Engineer is only our Consulting Engineer.

4679. Will you kindly find out from Mr. Olive whether he still adheres to his decision not to give evidence before the Commission, and if so, will you kindly gather from him the information that we require?—You mean the alternative?

4680. Yes.—I will see Mr. Olive upon that matter.

4681. I presume that the £105,000 is an estimate framed by Mr. Olive for a plan for depositing the crude sewage of Woodstock by an outfall which is to be joined by the other Municipalities whose share of the expenditure will have to come off?—Yes.

4682. *Dr. Gregory.*] Is that £105,000 the whole amount you have got permission to raise from the ratepayers?—Yes.

4683. How much of that will be borne by the other Municipalities?—I cannot say the amount, but there has been a resolution taken that each of the Councils should contribute one quarter of the cost from the intake to the outfall.

4684. That is the main intercepting sewer?—Yes.

4685. And what will that amount to?—I have not got the figures before me to give you all the details.

4686. About how much?—I can form no idea. I have not got the figures before me.

4687. There is a drain now, is there not, running from the Military Hospital?—That does not belong to Woodstock, although it is called the Woodstock Hospital. It is within the Cape Town area.

4688. The drain runs into the Bay?—Yes.

4689. Has that produced any nuisance?—It is the one that I just now mentioned where all the sewage has gone to the bed of the water.

4690. Is it your sewage?—No, Cape Town sewage.

4691. Where do your stormwater sewers discharge then?—Into the Bay.

4692. And they also take practically all your slop water drainage?—Yes.

4693. Do they pollute the Bay or the foreshore at all?—Not that I am aware of. There have been no complaints about it and people go and bathe there frequently. They also had bathing machines there, and I scarcely think that the people would go down there to bathe if the water were polluted. Formerly I used to go and bathe there in all sorts of weather, and I never found the water polluted, although I must say that in Cape Town we have noticed that when there has been a very heavy fall of rain the water becomes discoloured up to a certain distance out in the Bay.

4694. That £16,000 which in your statement is shewn as spent, is upon works that at present take away slop water?—Yes, there is nothing but slop water taken away.

4695. What will become of that system when this new scheme comes in?—It will simply carry away stormwater.

4696. What are these drains taking now, then?—Simply slop water and stormwater.

4697. But do they take all the stormwater from the area that they commence in?—Yes, in the Woodstock area.

4698. Are they simply taking stormwater from the yards or from the roofs as well?—Yes, everything. For instance, towards Cape Town near our boundary, where originally there was a deep ditch running down for the purpose of receiving the stormwater, and taking it down to the sea; subsequently the Council constructed an open cement drain to take it down which runs all the way from Sir Lowry-road, and all the water from there flows into it.

4699. I can understand surface drains, but I cannot quite understand the principle of laying drain pipes, which will take away stormwater and slopwater; it is such a curious combination?—The combination is this: that we allow the stormwater to go into the drains which take the slopwater in order to keep the drains clean. Formerly, even in Cape Town, you had some of your drains open, and if it had not been for the stormwater which rushed down these open drains and cleaned them you would have had a very serious nuisance, resulting from the dirty water running down these drains.

4700. Do these underground drain pipes start in the backyards?—No, the water flows down to a certain place where it is taken in by a drain.

4701. And these flow into the public streets?—One would call them streets, but they are not constructed yet. You must bear in mind that there is a large area of Woodstock not built upon yet.

4702. *Chairman.*] It is really a kind of cesspool?—No, they are a kind of small tank.

4703. Well, call it a tank?—Yes, the water from the yards flows into this tank and is thence taken away by the drain.

4704. *Dr. Gregory*]. Mr. Olive, I presume, could give us full information on these points?—Oh yes.

4705. What definite agreement have you with the other Councils? Simply that you take their sewage and they have to pay for the additional cost it will entail?—That is what we have decided. They join in and each will contribute one quarter of the expenditure of the construction from the intake to the outfall.

4706. And there have been no conditions made as regards the amount of sewage that you take?—No.

4707. Suppose that any of these Municipalities extended their boundaries in the future?—Well, I take it that the construction in the outfall will be such as to meet any prospective increase.

4708. What data have you got upon which you instructed your engineer to base this scheme? Did you get any data from the other Municipalities?—No.

4709. The other Municipalities were not dealt with until Mr. Olive had formulated and elaborated his scheme; that is to say that he got out his trunk sewers before the other Municipalities were taken in?—Yes, ours were made up before.

4710. Then these trunk sewers were brought out for your own needs originally?—Yes, the only exception is the outfall from the intake where the other Municipalities will join. Some correspondence passed on the subject, and ultimately the agreement was made.

4711. But it seems to me, if you have not collected data as to the requirements of the other Municipalities and instructed your Engineer accordingly, that you have no guarantee that the provision you are making would be sufficient to provide for them all?—The Engineer has provided for every contingency that may arise with regard to Woodstock. The only question that arose was in connection with the outfall which had been designed for Woodstock, and to enable the others to join in the outfall would have to be increased; that is all.

4712. Does not your outfall include a length of the Woodstock sewer?—They join at the boundary.

4713. Then surely their coming into the scheme has necessitated your modifying that portion of the sewer from your boundary to the outfall?—I cannot say for the moment, but Mr. Behr informs me that the Engineer has provided for that.

4714. What guarantee have you that he has provided for it?—The Council gave him instructions and he formulated a scheme, and he is responsible for it.

4715. Have you represented to Mr. Olive that he should collect his data from the other Municipalities?—Of course whatever data he has drawn upon he has obtained.

4716. Don't you think as a Council you ought to satisfy yourselves that Mr. Olive has obtained the necessary data regarding the requirements of these Municipalities, so that in years to come you may not be placed in an awkward position?—We employed an Engineer to provide for a certain scheme and he is responsible for providing against anything that may arise in connection with the sewerage.

4717. May I put it in this way: When your instructions were given to Mr. Olive, did you officially know that the other Municipalities were to join in, and did he, in consequence of these instructtons, give you plans for the trunk sewer for the whole area of these combined Municipalities?—I think he had prepared all that beforehand, and in the preparation of these plans I think he contemplated that the other Municipalities would join.

4718. And your trunk sewer, as far as you know, will be large enough to carry off all the sewage of your Municipality and of the others?—Yes.

4719. The whole arrangement seems to be so indefinite at present, and one of the first considerations in an engineering scheme is to have something definite?—In what way do you mean it is indefinite?

4720. You seem to have got out your own scheme and then, as an afterthought, arranged to join in with the other Municipalities, but there seems to be no regular basis under which they are to join in, and there is no assurance that it will meet all requirements?—The Engineer contemplated that it would be necessary for the other Municipalities to join in, and he prepared his scheme accordingly. He gave us an estimate that it would cost so much if they did not join in and so much if they did.

4721. Then he gave an alternative scheme?—Oh, yes, as far as the outfall is concerned.

4722. In the event of Mr. Olive not giving evidence, how are we to obtain all this information—from Mr. Menmuir?—If you could formulate a series of questions that you would want information upon, I will see Mr. Olive and go through the scheme with him and with our Engineer. There is no desire to withhold any information. On the contrary, it is our desire to give all the information we possibly can to the Commission.

4723. *Chairman.*] The point is we have to report upon the adequacy of schemes of drainage?—Exactly, and you could only do that on obtaining the fullest information.

4724. *Dr. Gregory.*] The only person who could give us the necessary information is Mr. Olive, and if he does not give it we are at a dead-lock?—If you could formulate specifically what information you really require, I will see Mr Olive and also Mr. Ellis.

4725. *Chairman.*] If Mr. Olive would agree to come here we would not have to put all these questions to you and naturally I can understand that if you employ a professional man you don't look into these matters very closely?—Yes, he is our consulting Engineer.

4726. Mr. Menmuir told us he has nothing to do with it?—We put that portion of the Department under the Town Engineer.

4727. With regard to drainage?—Yes.

4728. You say you will do so?—No, we have done it.

4729. Is that under Mr. Menmuir?—Yes, but having done anything with regard to that we have to decide how for the Town Engineer will have to consult Mr. Olive

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as our Consulting Engingeer. Mr. Olive formulated the scheme and consequently Mr. Menmuir as a professional man cannot interfere with Mr. Olive.

4730. *Dr. Gregory.*] Have you applied to the Government yet for the sanction of this scheme?—No.

4731. You will have to, I presume?—Oh yes, when all the terms have been arranged.

4732. *Mr. De Villiers.*] Under what Act is it that you are going in for this drainage scheme?—Under our Municipal Act No. 45 of 1882 and also the Public Health Act of 1897.

4733. You are going outside your Municipality, are you not?—Yes, into Table Bay. Our boundary extends to high water mark.

4734. *Mr. Stewart.*] You have referred to the wreck of the "Thermopylae"; was that wreck outside the Breakwater?—Yes.

4735. Is it not admitted that there is plenty of current there?—I don't know.

4736. There has not been any question about it; and is not that the reason why Cape Town has its sewage outfall there?—I don't know as regards that.

4737. But the object of Cape Town in going there with their outfall sewer was to get a current?—I don't know, but I think they wanted to get rid of the nuisance themselves.

4738. But if there is a current there it does not necessarily follow that there is a current inside the Breakwater?—No, not necessarily. The Breakwater strikes the current, and that is why I stated that the current would be more sluggish inside the Breakwater.

4739. I could not quite see what the wreckage of the "Thermopylae" had to do with your outfall?—Because if there is a current it would sweep away round the shore, and the goods from the "Thermopylae" would have come to the shore instead of striking away into the sea, which shows, at any rate, that the currents sometimes change.

4740. Do you know how much sewage you propose to deal with in Woodstock?—No.

4741. I suppose I could get that from Mr. Olive?—I suppose so.

4742. *Dr. Anderson.*] Do I understand that at the present time at Woodstock you have no sanitary slop system?—No; all the slopwater flows down.

4743. Through gutters?—Yes, until it reaches a certain point where there are these tanks, and then it is conveyed through pipes.

4744. I suppose you have the tub system?—Yes, that is what we want to do away with.

4745. I think you said that your total length was 21,902 lineal feet; are those pipe drains or gutters?—No, pipe drains.

4746. Then I also noticed that in your return of expenditure under "Sanitation" you put the expenditure during 1899, 1900 and 1891 under that heading; what is meant by this expenditure?—I suppose that arises partly through the plague, but I am not certain. Then it would, of course, include some ordinary sanitation work, as for instance in the last month we have laid down certain pipes to take away slop water from the hospital. It would mostly mean ordinary sanitary expenditure.

4747. To come to your drainage scheme; I just want to make it quite clear what you mean would be constructed for this £105,000: does that include the sewer outfall of the main trunk through Woodstock as far as your boundary and certain main sewers in your own district?—Yes.

4748. It does not include anything else?—No.

4749. Nothing as to the mains of Mowbray and so on?—No.

4750. If this scheme had been only designed for Woodstock it would not have been necessary to make such a large trunk sewer as you contemplate making now?—No.

4751. And therefore there is an extra cost in making a larger trunk sewer and a larger outfall than there would have been if you had simply provided a scheme of your own?—Yes, I take it so.

4752. Has any arrangement been made with the other authorities as to the payment of the extra cost?—We have not decided upon the amount, but each Council has to pay one fourth.

4753. *Chairman.*] Is that £105,000 estimated to be your liability?—Yes, but whatever contribution is made by the others would reduce that liability.

4754. Their contribution will diminish your liability *pro rata*?—Yes.

WEDNESDAY, 30TH APRIL, 1902.

Present:

Hon. Sir BISSET BERRY (*Chairman*).

Dr. A. J. GREGORY.
Dr. A. J. ANDERSON.
Mr. LAWRENCE.
Mr. T. N. DYER.
Mr. W. E. GURNEY.
Mr. T. STEWART.
Mr. J. E. R. DE VILLIERS.

Mr. Joseph Newey, M.I.C.E., examined.

4755. *Chairman.*] Your name, Mr. Newey?—Joseph Newey.
4756. You are Chief Inspector of Public Works?—Yes.
4757. And by profession you are Hydraulic Engineer?—Civil Engineer generally.
4758. And for how long have you been in the Public Works Department?—Thirty years.
4759. I suppose you have an intimate knowledge of the public works of this Colony and of the method of procedure as between local bodies and the Government?—Yes, generally, but Divisional Councils in particular.
4760. Now suppose that any local body wished to go in for any public work of any magnitude which is referred to the Government, would that come officially to you for your report?—The Government would refer it to me for advice if public money was involved.
4761. In almost every instance?—Road matters chiefly; also hydraulic works and works carried out under the Public Loans Act.
4762. And drainage works?—None have come to me so far, but I take it that they would if it was intended to get a loan from the Government to carry on the work.
4763. Would you have anything to do with the financial matters of local bodies? Would you be consulted in matters relating to finance?—If the proposal submitted for my advice is accompanied by an estimate of the proposed undertaking, then of course I would have to go into it in order to see if it were reasonable, besides I would have to express an opinion as to whether the result would be likely to be that which is predicted, and whether there is a probability of the proposal being a success or not.
4764. Now with reference to the Cape Peninsula, are there any proposals for great public works at the present time before you?—None.
4765. There has been no proposal submitted to you in connection with the proposed drainage scheme of the Woodstock Municipal Council and other Municipalities?—No, such a proposal would not come to my department unless the local bodies concerned wished to raise a Government loan.
4766. And up to the present time no such scheme has come before you?—No.
4767. Now, has any scheme for the increase of the Water Supply of the Cape Peninsula come before you up to the present time?—No.
4768. Not on any occasion?—No.
4769. Have you considered the question of the drainage and of the sewerage of the Cape Peninsula at all?—Not specially, I generally have enough of my own business; I have, however, read reports, and also what I saw in the papers on the subject, and I may say forgotten them.
4770. Has the question of sewerage with an outfall into Table Bay been brought before you at all?—No.
4771. Have you any views on that matter which you could submit to the Commission?—No, I don't pretend to have any views on such matters unless they are investigated so as to enable me to form an opinion.
4772. Are you aware of any investigation having been made as to the expediency or otherwise of sewerage outfalls into Table Bay?—Investigations have been made; and I believe Mr. Cathcart Methven is making an investigation in that direction.
4773. Could you give the Commission some idea of the general principle which would govern the discharge of such sewage into Table Bay?—I would not like to do so on the spur of the moment, and I have not given the matter special consideration.
4774. Would you say as an Engineer that a large quantity of crude sewage ought to be allowed to fall into any bay where there are no currents which will carry such

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sewage out to sea?—No; because if the water is still it will settle and accumulate on the bottom; that is if there are no currents to carry it away.

4775. You would say a current of some strength?—Certainly, sufficiently strong to carry the stuff away before it deposits at the bottom.

4776. What would be the effect of such a deposit?—Well, the result would be an accumulation of filth, and some gas might arise from it which will most likely pollute the atmosphere.

4777. Does it encourage the growth of seaweed?—Certainly.

4778. So that under such circumstances really the immunity of the neighbourhood may be jeopardised?—Yes; I would call it fouling the water. Then of course there would be the sentiment of the people, or some people, in regard to the advisability of using fish which feed within such a polluted area.

4779. Can you tell us whether it was with a view of avoiding those difficulties that the sewage of the Cape Town area has been constructed to enter the sea outside the Breakwater?—That should have been their reason, for I cannot understand any other.

4780. Can you give us any instances within your knowledge of serious complications having arisen owing to a neglect of providing in that behalf? Do you know of the existence of any bay or water stream where difficulties have arisen owing to a neglect of that kind?—Not with regard to bays, but I may say that such a difficulty has arisen higher up the river Thames, where sewage had accumulated and where the return current was not strong enough to carry it down.

4781. Is it within your knowledge that at Sydney such a difficulty arose in connection with the Port Jackson Harbour?—It is not within my knowledge.

4782. Now, have you any professional knowledge of the methods of extending the water supply of the Cape Peninsula at the present time?—I have not gone into the matter, and have simply read the reports as they came forward from time to time.

4783. Has any report been submitted to you with reference to what is generally known as the Steenbras River Water Scheme?—No.

4784. Do you know that neighbourhood?—I have only been across it twice, but I know the river.

4785. Have you looked at it with the eye of an engineer?—I look at everything with that eye generally, but I have not been consulted in the matter.

4786. You don't know of any gaugings there?—No; I did not know that gaugings had been taken there until quite recently.

4787. Have you formed any opinion about that scheme?—No; I would not think of forming an opinion until I knew something more about it.

4788. Do you know anything about the law of this Colony with reference to the ownership of stormwater?—That is a very complicated question, and the judgments of the Court have gone in various directions on that point. I think we lost an important irrigation scheme at Calitzdorp, and also on the Grobbelaar's River at Oudtshoorn, in consequence of the indefiniteness of the law on this point.

4789. Was that as to the ownership of stormwater?—Yes.

4790. Is it not that phase of the water question which has been in the way of starting large irrigation schemes in this Colony?—That is a very large question; the owner of land which is capable of being irrigated by the stormwater objects to our conserving the water for irrigation purposes. The objections raised have been that we will interfere with his rights, but even then these objections have been groundless because there would be sufficient water for everybody. The water would be stored for irrigation purposes mostly during a time when the owner would not use it and so would now run to waste. The probability may be that they expected the Government to buy them out, but the Government had not risen to that. There was such a case with an owner of land at Oudtshoorn.

4791. Did that prevent that particular scheme being effected?—Yes, that is to say that I am of that opinion, although the reason was not given.

4792. Now take a large collecting area, say of 34 square miles, is there any difference in the proprietorship of the stormwater falling and collecting upon that area as between the time that it diffuses over the area and the time that it is collected into a stream?—You mean whether the rainfall could be intercepted on the way?

4793. Yes, because the water collected would naturally go into a stream?—The case has never arisen to my knowledge.

4794. Do you know of any case in which it has been decided that stormwater, having once collected and entered into a perennial stream, belongs to such perennial stream?—I could not cite the case, but that has been the general tenour of the judgments.

4795. Do you know of any instances in the Colony where a Municipality has acquired water rights say forty or fifty miles away from its own neighbourhood, and

has brought the water from that river down to the Municipality?—Yes, there has been a case at Oudtshoorn—and I think Mr. Stewart knows about that—where the water was brought down to the town of Oudtshoorn.

4796. Were there any difficulties in that case?—Mr. Stewart knows about that and he could give you all the information.

4797. Don't you know about it?—Nobody knows anything about Mr. Stewart's business.

4798. What was done?—I cannot say.

4799. How far is the stream away from the town?—Mr. Stewart could say.

4800. Why do you cite that case if you cannot give the particulars?—It is very important, but you have Mr. Stewart here and he could give you the information you want as to distance and so on. I should have to get the information from him.

4801. I want to know whether the water which was brought into Oudtshoorn naturally fell in that direction or into another direction?—It would naturally fall into the Oliphant's River; it can be seen from the map, I am not so well acquainted with it locally.

4802. And that Oliphant's River, does that pass near to Oudtshoorn?—Not near enough for the town supply.

4803. And then the town diverted the stream and brought it to Oudtshoorn?—A group of streams was brought together on the farms Spitz Kop and Rusten Vrede naturally tributary to the Oliphant's River *alias* Groot River, and from there taken to Oudtshoorn. Of course there was no public body to object to the diversion of the Oliphant's River to Oudtshoorn, and, had there been any resistance, the likelihood is that the town of Oudtshoorn would have negotiated any outside objections. This is what occurred when a complicated law case was instituted in the interests of riparian owners on the Cango River.

4804. Did the private proprietors object?—I don't know of any others.

4805. Do you consider that it seriously interfered with their rights?—No, I don't think it did. Please see report of Select Committee of House of Assembly, A. 19—'98, on Oudtshoorn water supply.

4806. And that scheme was carried out?—Yes.

4807. In looking at any water scheme for a town in this Colony, do you consider any measurements of the quantity per head of population which you think it advisable to follow?—We go into all these particulars generally.

4808. What do you generally insist upon per head?—It would depend a great deal upon the rainfall of the district and on what the inhabitants could collect themselves. Some of the Municipalities are not prepared for any big scheme, owing to the expense, and they would be prepared to accept something that we would not consider as nearly perfect, but generally speaking 30 gallons per head per day is a fair estimate.

4809. Would you apply that to the population of the Cape Peninsula?—If properly economised, I should say that 30 gallons per day would be quite enough.

4810. Would that be sufficient for carrying a system of sewerage as well?—Yes; but of course there are many difficulties to contend with. Householders, instead of using the water for domestic purposes, will steal the water and use it for gardens, and if you wished to meet that difficulty you would have to supply much more than 30 gallons per day. I am strongly of opinion that that system should be abolished, expensive works are only justified by the necessities of the domestic supply.

4811. Have you at all considered the question of sewage disposal for the suburban areas of the Cape Peninsula?—I have not considered the question at all.

4812. Could you explain to the Commission what the method is of inspection of public roads in the Cape Peninsula by your department?—The district, of course, is a busy one, but we have a District Inspector whose business and duty it is to inspect the main roads twice a year. In the event of a road being allowed to fall into disrepair or to get into a bad condition, then the Divisional Council is communicated with and called upon to repair it. Sometimes they do take notice of it and put it into repair, but sometimes they do not.

4813. What method have you then of enforcing your recommendations?—We have a legal remedy; the method to be followed is that we give them warning to do the work within a certain time, and that, if it is not done within that time, we will have it done and charge them with the expenses connected with it. We have the power even to the extent of collecting the rates; but we have never done so.

4814. Not in the Cape Division?—Not in any Division.

4815. Were you in these parts before the Divisional Councils were established?—No; Divisional Councils were established before I came; they were already in existence.

4816. Can you explain to the Commission what the method was, or rather under what department roads were constructed and maintained before the establishment of

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the Divisional Councils?—There was a Public Road Board which was established by the Government at the time for the purpose of inspecting and supervising the expenditure on main roads.

4817. How was the expenditure obtained? Was it taken out of general revenue?—I have not gone back to that point, but I think it was out of some kind of rate. I found the Divisional Councils in a very imperfect state, as far as an appreciation of their duties and responsibilities is concerned. In one or two cases they have improved, but in others they have very much remained where they were.

4818. I suppose the Commission may infer that so far as the Cape Division is concerned, inasmuch as you never had to proceed to extreme measures against them, the roads are fairly well maintained?—But it does not follow. We may recommend to the Government the advisability or necessity of doing so, but the Government for some reasons or other may think it inexpedient to do so.

4819. But have your Inspectors made frequent complaints to your Department owing to the bad condition of the roads?—With regard to the Cape Peninsula?

4820. Yes.—No, not recently *re* main roads.

4821. Or divisional roads?—That is not our business, although we make rude remarks about divisional roads sometimes.

4822. To what extent have you the supervision of the divisional roads?—We are not responsible for the divistonal roads.

4823. Now, as regards the maintenance of divisional roads passing through Municipal areas, have complaints reached your Department from the various Municipalities?—Not that I am aware of; that would not be our business either.

4824. You have never been referred to at all in a dispute as between the two bodies—the Divisional Council and the Municipal Councils?—No.

4825. Has the system of the maintenance and construction by the Divisional Council of portions of main roads passing through the respective Municipal areas of the Cape Peninsula worked harmoniously and efficiently between the two bodies?—I have seen all the annual expenditure on all the main and branch roads from time to time: that of course is in the reports of our inspectors, and up to within a few years ago, I may say six or seven years ago, the expenditure seems to be very great taken in proportion to the condition the roads are kept in. Since then the main roads have improved, but I think now the expenditure has become enormous. They have spent between £40,000 ond £50,000 in one year for the whole of the Cape Division.

4826. With reference to the expenditure on portions of the main roads that pass through the Municipality, have you noticed the amount of expenditure and the extent that the Divisional Council claims to make within those areas?—I have simply read the reports.

4827. You have never looked at the amount of money they say they spend within these areas as compared with the amount of revenue which they derive from the Municipalities?—We don't go into particulars as to the amount spent inside the Muncipality or outside so long as it is done on main roads.

4828. Are you acquainted with the condition of the main road between this and Wynberg?—It is twelve months since I went over it and during that time the Tramway Company have undertaken the greater part of the maintenance of the road, but as to whether it has been kept in order during the last twelve months I could not say from personal knowledge.

4829. Could you give the Commission an idea of what you consider would be a fair estimate of the cost to the Divisional Council of maintaining that main road?—I do not think it would be done cheaper by the Divisional Council than by the Municipality.

4830. Well, is it at the present time?—You see, when the main roads pass through these Municipalities, they partake of the nature of main streets, and they would take as much to maintain as a main street in the town would—like Adderley Street for instance—while outside it is quite different; there is not so much kerbing and metalling, and the roads require comparatively little attention.

4831. Here in the Divisional Council return that I have for the year 1901, I will read to you some of the figures they give as shewing, on the part of the Divisional Council, their expenditure per mile on main roads within these Municipal areas?—Yes.

4832. I may mention that this is a great subject of complaint between the Mnnicipalities and the Divisional Council, and I presume the Divisional Council puts forward this statement to shew that it makes a fair use of the money which it collects from these Municipalities.—Yes.

4833. In Woodstock they claim to maintain 4⅞ths miles, and the average expenditure per mile they put down at £827.—Yes; I should think that is twice as much as it should be.

4834. Well, now in Mowbray they say that they maintain 2⅝ths miles, and they have spent on that £411 3s. 11d. per mile.—Yes, and of course that is also too much, but not quite so glaring as the other case.

4835. Then in Rondebosch they maintain 4½ miles, on which they spent £589 19s. 8d. per mile.—Rondebosch is rather a more important place than Mowbray, and it may be that the shopkeepers there like to have a decent piece of road in front of their shops.

4836. Then in Claremont they maintain 6¼ miles, on which they spend £342 10s. 11d.—Yes; there they are getting nearer to the gravel.

4837. Then in Wynberg they spend £222 5s. per mile; in Kalk Bay, £610 7s. 8d. per mile, and in Simon's Town, £1,026.—Yes, the expenditure with regard to Simon's Town is absurd.

4838. Then I see they put down a uniform charge for macadam.—Is that for the purchase of macadam only?

4839. Yes.—Gravel is much more expensive now than it was some two years ago.

4840. The point urged by the Municipalities in favour of being allowed to maintain their own share of the main road is that they could do the work at a very much less cost and so save the rates?—Any competent body should be able to do the work at less cost, but whether the Town Council would be a competent body I don't know. At all events they would be spending their own money and be responsible for the consequences.

4841. Have you formed any opinion with reference to the Government taking over main roads or not?—Yes, I advocated that for the last ten or twelve years, and some of the Divisional Councils favoured the idea. I think before the Committee appointed by the Legislative Council in 1898 I made recommendations on the same subject, and I recommended that that should apply to the Cape Division; and to be consistent I would still recommend that the Government take over the maintenance of the roads.

4842. On what ground do you recommend that?—The ratepayers' money is being wasted, and we have tried every possible way to minimise a waste of public money. We don't always get credit for it of course, but that is our object.

4843. If these roads are to be maintained by Government, how would the expenditure be raised?—We should have to raise the money by rates, but I should think a lower rate than is paid at present, and the balance would be made up out of general revenue.

4844. Do you mean by a uniform rate throughout the whole country?—No; to be applied to the Cape Peninsula.

4845. Would you raise a particular rate for each district?—No, a general rate throughout the Peninsula for main road purposes. It would of course only be an experiment, and we should at first have to see how the thing would work, but that is how I would experiment on it; and it could afterwards be extended to the country.

4846. You propose this plan with reference to the Peninsula only?—Yes, only the Cape Peninsula. at present.

4847. You would say throughout the extent of the Cape Peninsula, but not the whole Colony?—Yes.

4848. Would you not raise a rate in every district according to the needs of that district, or would you raise a rate realising the required amount throughout the whole Colony?—No, we could not do that; we would have to consider the local circumstances in every case. The rates could be considerably less than they are now. Many people are using the roads who contribute nothing towards their maintenance. I have suggested the infliction of a transport duty. My idea was to charge them five per cent. duty on the amount of their waybill, and I thought that the duty could be collected by means of stamps; that is to say, that the value of five per cent. on the waybill could be affixed to it by means of stamps.

4849. Would you do that with special reference to economise public money in the Peninsula?—Yes, and making the people who go in for transport obtain a licence.

4850. Carrier's licence?—Yes, I think that would be the easiest way of collecting.

4851. Would that be better than a wheel tax?—Well, a vehicle tax covers a vehicle whether it is in use or not, whereas in the case of the stamp duty of five per cent. on the waybill a man would pay exactly in proportion to the amount of use he makes of the road, because he pays according to the weight of the load. The stamps would simply be affixed to the waybill and it could be the duty of the police to stop a vehicle occasionally to see that that is done.

4852. I don't quite understand what you mean by the five per cent.?—The stamp duty would be five per cent. on the amount due to the carrier for transport,

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4853. How would that work out in the Peninsula? You have very few wagons going about with heavy loads?—I think a considerable number are going about with heavy loads.

4854. Well; if you include all the wagons that go about it would be a tremendous number?—I mean only those who go in for transport riding as a matter of business.

4855. What you would call up-country transport riders?—Yes, the farmers pay rates as well.

4856. Would not that be rather a burdensome licence to collect?—No. My idea is that the carrier would have to furnish himself with a number of stamps, and he would simply fix the required number or value to his waybill.

4857. The same as is done with letters?—Yes. He could buy the stamps at the Post Office or from any Issuer of Stamps the same way that they are procured now.

4858. You make these general proposals on the score of economy?—Better administration, and of course that would mean economy.

4859. Suppose that the Municipalities were to say that they would prefer taking over the main roads and maintaining them themselves because they could do so for one quarter of the money which the Divisional Council charges them in the shape of rates—that is the main roads passing through each Municipality?—I don't recommend the Government should take over main roads passing through Municipalities.

4860. Your recommendation applies to main roads outside the Municipal areas altogether?—Oh yes.

4861. And would you be in favour of giving the Municipalities the right and the duty of maintaining the main roads within their own area?—Yes, under Government supervision. I should insist on their keeping them up to a certain standard which we could specify.

4862. Do you think they could be done better by the Municipalities than by the Divisional Council?—Well, they will have these roads under their noses and, of course, they will have more interest in the matter.

4863. And the probability is that they would be able to do it cheaper?—The probability is that they would want a better road than they have got, and they would accordingly take steps to get it; if they find that it costs too much, then they would take steps to economise, but I don't suppose they would economise for the first year or two.

4864. *Mr. Gurney.*] Economy exercised locally?—I said probably these people would want a better road, and they would get it.

4865. Then where would the economy come in?—Well, these people on the spot would be able to influence the Town Council better than they could the Divisional Council.

4866. *Chairman.*] Have you formed any idea as to the suitability of the Divisional Council for carrying out other functions than that of main road maintenance?—No; we have not had any occasion to consider them in any other aspect than that.

4867. I have asked you a question or two about the fairness of the expenditure on main roads within the Municipalities in the Cape Peninsula in comparison with the charge which they make upon the rates. Now with reference to the roads outside the Municipal areas in the Cape Peninsula, the Divisional Council of the Cape claims to spend an average of £92 2s. 8d. per mile?—I cannot help thinking that a good deal of that must be for construction and not maintenance; for instance, many of the roads are nothing but sand and their whole character is being changed by metalling them and so on. I am perfectly certain that it cannot be maintenance only.

4868. That would be an outside figure for maintenance?—Oh yes, absurd.

4869. The general tenour of your evidence with reference to the Divisional Council of the Cape is that there is plenty of room for improvement?—Yes.

4870. The Divisional Council, as far as we can see, have done all this without contracting any debt and apparently they have kept to the principle of never spending any more money than they raise—they have no loans?—On the other hand they have raised all they wanted, and the people have had to meet it.

4871. But at the present time they have no debt, so that practically whatever roads they have are an asset up to their value?—They don't represent the amount of money that has been spent on them; their present condition might represent a much smaller amount.

4872. *Dr. Gregory*]. I understand, Mr. Newey, that you are diffident about giving your opinions because they would be deemed the expert opinions of an engineer, and you are not in possession of the necessary data to give expert opinions in that way?—Yes, on the points that I have hesitated to give information.

4873. But now, have you what one might call lay opinions on the matter?—I have no business to have them. I am not called here as a lay-man.

4874. I take it that you are called here for your general knowledge of Municipal works, as well as, but apart from your knowledge as, an expert engineer?—I don't take that view of it, but still if you have any questions to ask I will pay attention to them.

4875. If you are not in a position to give expert advice in these matters, is there anybody to your knowledge in the Colony who would be in a position to give us that expert advice?—On which matters?

4876. The two most prominent matters are the suitability of a scheme for adequately augmenting the water supply for the whole Peninsula and a scheme of sewage removal for the whole of the Peninsula; these are the two main questions which seem to require expert advice of a high order?—It is a large question, and have not Government settled that by submitting the matter to this Commission?

4877. But the position of the Commission is this: that we want expert advice on these matters and it was thought that you would be yourself in a position to give us such advice on these subjects as would be reliable for the purposes of the Commission, but it appears that you have not sufficient data to do so; now is there anyone in the Colony who has sufficient data and whose advice could be accepted as so reliable that it could be unhesitatingly adopted?—No; no one is sufficiently disinterested.

4878. What do you mean by disinterested?—I mean having no personal or monetary interest in the issue beyond being paid a fee for giving the advice.

4879. If there is no one in the Colony, is there any one out of it that you know of?—Yes; I went out of the way to recommend someone outside the Colony.

4880. *Mr. Lawrence.*] We had a letter from you?—Yes; and I notice that you allowed a part of it, though not the whole, to appear in the public press. In that letter, in which I withdrew from the membership of this Commission, I suggested a gentleman outside the Colony.

4881. *Dr. Gregory.*] You suggested Mr. Thwaites?—Yes, from Melbourne.

4882. Why did you suggest him?—Because he has just now completed a very similar kind of business to that which this Commission is dealing with at present.

4883. The question of amalgamation?—Yes, ten or twelve small Municipalities around Melbourne. The result of it was the establishment of a Board of Works, of which he is the Engineer-in-Chief, and this Board takes in the water supply of all the areas. They look also after the drainage of all the areas, and they are just about taking up the electric lighting of the whole area now. They must have taken also the main roads, but of that I am not quite certain. At any rate, of the drainage and the water supply I am quite sure.

4884. This Board would be dealing with the outlying suburbs, such as New Brighton and so on?—Yes.

4885. And in your opinion the condition of things there is very similar to what we have to deal with here?—Yes, a lot of small Municipalities carrying on their own work and becoming too expensive. They are all grouped together under the Board of Works, and each Municipality has a right to send nominees to represent them on this Board, and these nominees have the power to vote.

4886. Are you acquainted with the details?—Not from memory. I only read the reports of Mr. Thwaites.

4887. *Chairman.*] Could you put in a copy of the report of Mr. Thwaites?—Yes.

4888. *Dr Gregory.*] And in your opinion, Mr. Thwaites is *par excellence* the man to give us the necessary advice?—I stated that in my letter at the time when I withdrew from the membership of this Commission.

4889. In the event of the services of such a gentleman being obtained, how long would it take him to obtain the necessary information and to report?—Of course he would require assistance, and it would depend a good deal upon the assistance afforded him, but I should think in six months he would be able to have the information.

4890. There would still be some information such as the water gauging which he would not have in the time?—No, not independently; but from such gaugings as could be got comparisons could be drawn and an estimate formed accordingly. It takes time, and an independent survey would have to be made, but the great advantage would be that no one would know anything of the result until the Government publishes the report. Now everything is published in the papers, and by the time you arrive at a conclusion you will probably have a difficulty in getting either your water or your land

4891. *Mr. Lawrence.*] Somebody else will have it?—Yes.

4892. *Dr. Gregory.*] In the event of the services of such an expert being obtained, would the officers of the Public Works Department be able to assist him

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practically in these surveys?—Yes, he would have the services of our officers, provided of course that the Government approved, and then of course he would also be at liberty to employ any other engineers.

4893. So that, apart from the amount of the fee of the expert himself, the expenditure would not be very great?—In proportion to the issue, not.

4894. In your opinion, would the Commission be justified in coming to any very decided decision, and to offer any decided recommendation to the Government as to the adoption of any certain particular water scheme or sewage scheme without obtaining expert advice of the description you have mentioned?—I don't think so.

4895. As a practical engineer, would you be disposed to attach much weight to such a recommendation come to without such expert advice?—No; this town has had enough of that.

4896. You say, Mr. Newey, that you have been in this Colony as an engineer for how long?—Thirty years.

4897. What then is the reason that during all that time so few reliable statistics, if I may say so, appear to have been collected and are available?—The Government won't advance the money for the purpose. We have asked the Government from time to time—especially during the last nine or ten years—for a fund to institute a system of rain gauges and river gauges throughout the country, but so far no money has been placed at our disposal. Rain gauges have been established over very wide areas, and the reports are sent to the Meteorological Commission. We are not allowed to spend any money to get information of that kind except when a specific scheme is sent for our investigation.

4898. You say the Government have not expended any money on this matter, but have not public bodies expended money and obtained information which is available in these matters?—I suppose the Town Council have paid for the investigations made in connection with their own water supply, but I am not aware that the information is available for the public.

4899. Have you ever asked the Town Council for it?—I don't know that I have.

4900. There should be no reason why the Town Council should withhold them?—There is no reason that I can see. If they had been produced at the public expense they ought to be available to the public, being public property.

4901. You mentioned that unless different steps are taken to consider any proposed scheme of water supply that the Government would find that all the water rights have been bought up?—Probably; I generally find when I proceed with an investigation, if I don't keep it very secret, that someone has always got an option on the property required, and so on.

4902. That is your general experience throughout the whole Colony?—Yes.

4903. Apart from making our investigations in this matter strictly in *camera* are there any other means which you can suggest by which the rights of the public could be protected against the speculator who secures these options—option buyers?—I don't know whether the Government themselves have the power, but of course it would be a very good thing if such transactions entered into meanwhile, pending the report of the Commission, could be rendered illegal and void. I question, however, very much whether the Government has the power to render any option which may be acquired now illegal or void.

4904. Would in your opinion the case be partly met by introducing into the Act an expropriation clause?—That would most assuredly be necessary in any legislation which is to be passed arising out of this Commission's report.

4905. And applied to water supply generally?—Yes, and to this case in particular. This enquiry has attracted so much public notice that the speculators are on the alert.

4906. And in the event of speculators asking too unreasonable a price then it would be settled by arbitration?—The arbitration would follow the expropriation. Arbitrators would have to be appointed to appraise the value of all the land taken under expropriation.

4907. In which event speculators would not be so ready to acquire all these options?—They would take a greater risk, of course.

4908. Have you any general opinions on the subject of the water supply of the Cape Peninsula?—I have not sufficiently entered into the question to be able to offer any opinions owing to the want of essential data.

4909. You are not prepared to say anything as to the existing supply or supplies and on the question of an augmentation of those supplies?—I have not been able to get any information except reading the information in the public prints; but I cannot speak as to what has been done already and the results arrived at on the money expended.

4910. But it seems an extraordinary thing that the Chief Government Engineer of the Colony should not be in a position to get information on matters of this kind?—Yes, it is an extraordinary thing, but it is a fact.

4911. What steps have been taken to try and procure such information?—I have not taken any steps, but as far as the Cape Town water supply is concerned, Mr. Stewart could give it you.

4912. *Chairman.*] The Cape Town schemes for such works are not referred to you like schemes from other parts of the Colony?—No, not unless they require to carry them out by means of a Government loan.

4913. So that in that way the information does not come to you?—No.

4914. *Dr. Gregory.*] But I take it that your opinion is that such information should be freely available?—Oh yes, it should be public property and available for everybody.

4915. Such information as you require is that given generally in regard to schemes completed in England?—Generally, after an important scheme in England has been completed all the statistics relating to the scheme are read before the Institute of Civil Engineers and published in the minutes of proceedings, then they become, so to speak, public property.

4916. What do you include in the statistics?—Rainfall on the catchment area, cost of the works, contents of the reservoirs, quantities of water supplied to the towns, the manner of distribution, and generally the result of the work.

4917. Does that apply elsewhere as well as in England, do you know?—Not so freely as in England. The case that I mention in Australia gives a most exhaustive report drawn up by Mr. Thwaites on the result of his operations.

4918. In fact, to put it in a nutshell, you consider that the information should be published and made, *pro bona publico*, available for anyone who wants it?—Yes.

4919. *Chairman.*] When did Mr. Thwaites go to Melbourne?—Many years ago—I think in the sixties, but he may have been born there.

4920. Is he still in the employ of the Melbourne Corporation?—Yes, he is Engineer-in-Chief of the Board of Works.

4921. There is a special Act by the Melbourne Legislature for the purpose?—Yes, it was done under a special Act of Parliament, called the Water and Sewage Act of 1859.

4922. And that was in 1889?—Yes, the amalgamation.

4923. It was the result of a Royal Commission that sat in Melbourne?—I am not aware of the proceedings of the Commission, but I know of the Act.

4924. The great difference is that in 1889 there was no single sewer in Melbourne, and Cape Town has its scheme pretty well carried out?—Yes

4925. And at that time the Government at Melbourne set aside a large area of Crown land as a collecting area?—Yes.

4926. And when the Commission was set on foot, there was the one large Municipality of Melbourne with about 150,000 inhabitants with some nineteen or twenty smaller Municipalities scattered all about it?—Yes.

4927. And there was no sewerage scheme and no water scheme worthy of the name at that time in existence?—No.

4928. So that the Melbourne Metropolitan Board of Works was created by the Legislature in order to deal with these difficulties?—Yes.

4929. And in order to devise a public scheme for making the best use of the Crown land catchment area?—Yes.

4930. Here we have a different state of things to deal with?—Yes; schemes are more or less on foot here, but whether in the direction of success or not I cannot say.

4931. Was Mr. Thwaites the engineer for Melbourne before that Act was put into force in 1889?—Yes, but in what capacity I don't know.

4932. But he carried out all these works?—Yes, he had the supervision of it all. The proposals were referred to Mr. Mansergh, Past President of the Institute of Civil Engineers.

4933. That Board of Works in Melbourne is costing the Government of the country a considerable sum of money, is it not?—I don't know how much.

4934. The Chairman is a highly paid official, is he not?—Not overpaid.

4935. That Board has the power to rate?—Yes, all power for carrying on its functions.

4936. And it sends its precept to the various boroughs and that is the method of raising money?—Yes, I think so.

4937. Do you think that plan would answer here? Looking at the difference of public view with reference to these matters, do you think it would be suitable to have a Board of Works started in the neighbourhood of Cape Town, with a paid Chairman

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and rating powers, as against the Municipalities to control water supply, sewerage, and road construction?—I would not take in road construction at present, but for the other matters I don't see how you are to do without a Board of Works.

4938. But seeing that the Municipalities have had the power over all these things for so many years, and we may say rather like the power, do you think it would be a judicious thing to take it away from them and put it into the keeping of a new Board?—The Board will be composed of experienced men selected by themselves and advised by experienced professional men.

4939. Would you anticipate better results from a Board of that kind than from an amalgamated Municipality?—Well, it would practically be the same thing.

4940. Then if you see a possibility of amalgamating the various Municipalities under one Council, don't you think that that might be as good a way of getting over the difficulty, as by having a new Board called into existence for the same purpose?—There are many things which the Municipalities would still have to attend to and which would not go to the Board of Works. I don't know whether you would be able to amalgamate them on all points.

4941. Do you think you would get competent men to attend to these little things?—You might reduce the number of Municipalities from the five or six into two or three—say Cape Town, Wynberg, and Simon's Town—and they could manage their own local affairs, and yet the big public matters, such as the water supply and the drainage, could be under the Board of Works. You have got all these Municipalities now, each one with its own engineer, and each engineer having different views.

4942. Would you then have two authorities in the Municipalities, namely, the Board of Works controlling the larger affairs, and the various other authorities controlling the smaller affairs?—There would not be two authorities for the same subjects.

4943. You would give them different subjects to control?—Yes.

4944. But now with reference to getting suitable men to give effect to these proposals?—I take it that the men would be selected from the same as those you have now.

4945. Then we come back to the same thing: that it would be possible to attain the same object with an amalgamated Municipality?—Oh, yes, with a suitable staff of officers. You meet the case because the Board of Works would consist of selected members of each Municipality.

4946. The difficulty is this: that unless one sees an absolute necessity for calling into existence a new authority one is very loath to do it. If one could develop in the way of amalgamating the Municipalities and give them more power—and we could get better men to go on to such an amalgamated Municipality—would not the necessity for having this new Board of Works to a very great extent be done away with?—No; if you give them more power with the same brains they will only get into a bigger muddle. You know the class of men you get—shopkeepers and so on—and they have not shown the best results.

4947. Where do you propose to get the new brains, then?—It would be the old brains doing larger work under the guidance of a competent professional staff. If you get an amalgamated Municipality with a competent staff, then of course it is practically a Board of Works, because representatives from the various Municipalities will form the members of the Board of Works; almost the same thing that you have in Melbourne.

4948. Your Board of Works might simply be a Board of professional men in the employ of the amalgamated Municipality?—No; the Board would be advised of course by professional men, but a certain number of the Town Councillors would be sitting on the Board of Works.

4949. Would you give the various Municipal districts the right to nominate lay-members on the Board of Works, and to elect members from their own bodies to be on the Board of Works?—They would make selections from their own Town Councillors to represent them on the Board of Works, only the Chairman as the head of the Board and the professional staff would be permanent.

4950. Then it would practically be a similar board to the one which is called the Suburban Waterworks Management Committee?—I don't know how that is constituted.

4951. That is, a Committee constituted by each of the four Municipalities of Claremont, Rondebosch, Mowbray, and Woodstock sending two members to manage, regulate and charge for the water supply to these four areas?—Yes, it would be somewhat similar.

4952. Would you extend the same principle to such matters as drainage?—I should like to know more about their system of administration or about the men themselves before I would extend the principle to them.

4953. *Dr. Gregory.*] The conditions in the Melbourne area were not so very different from those obtaining here—Melbourne had been in existence for fifty years;

they had a population of 150,000 inhabitants, and they had been running certain sanitary schemes through during their time ; at any rate, they must have had some sanitary arrangements in existence because, as a matter of fact, all these little Municipalities were draining into the Yarra-Yarra ?—Every one must have had its own little contrivance, but I don't know to what extent of development it had come.

4954. Practically, the Cape Peninsula has no scheme which is sufficient for water or drainage ?—It has not.

4955. With the exception of the drainage scheme of Cape Town ?—It is presumed to be sufficient but I don't know that it is.

4956. All water schemes are insufficient and, with the exception of Cape Town having a drainage scheme, we are not further advanced in these matters—even taking Cape Town with its legendary Municipal Government—than was the case of Melbourne ?—I think this is a much smaller job than the Melbourne case.

4957. *Mr Gurney.*] As a matter of fact, when you speak of the Municipal Councillors not having made good use of their experience, you mean to imply that being laymen they have not the technical and scientific knowledge necessary, and therefore have failed ?—I suppose their not being professional men has something to do with it, and they having failed, we have arrived at the question we are seeking.

4958. These questions of the Cape Peninsula are too important to be placed in the grasp of the stamp of man who puts himself forward as a Municipal Councillor ?—You mean water and drainage schemes ?

4959. Yes, the things are too big, are they not ?—Yes, they are too big for him unassisted to express an opinion upon, though he is able to express an opinion upon the advice placed before him.

4960. But then you say he is not able to express an opinion ?—I don't know what has been placed before him, but we do know that the results have been disappointing.

4961. But you don't understand how the result has come about ?—No.

4962. And yet the same class of man probably would figure upon the Board of Works about which you are speaking ?—Yes, but they would not have as much rope as they have now.

4963. Why could one expect better work from the same man under those circumstances than now ?—They would be under a fiercer light altogether, and subject to more criticism outside.

4964. And the mere fact of combining in that way would give them a wider view generally ?—Yes.

4965. The question was put to you whether all the present arrangements were not insufficient, but that is scarcely the position nowadays. Would you apply that for instance to the water at Wynberg ?—I don't know sufficient about the water at Wynberg.

4966. You would not say that their water is insufficient now ?—No.

4967. When you were giving evidence in 1898 before the Select Committee of the Legislative Council, you advocated the Government taking over the roads, firstly, because you thought the main roads of the country should be regarded as the next best and next most important thing to the railway ?—Yes.

4968. Then you thought that the expenditure at the beginning might be a little greater, but that it would be less afterwards ?—Yes, at the beginning you would have to take up construction—that is, you would have to put the roads which are not in repair into thorough repair.

4969. Afterwards there would be economy ?—Yes.

4970. And that would apply to the Cape Peninsula as well as to the Colony generally ?—Yes, but the Cape Peninsula roads are in a better condition than most of the roads in the country.

4971. Practically there are no bridges in the Cape Peninsula ?—Small wooden things not of any importance. They are, however, of sufficient importance for the Divisional Council to call upon the Government to do them.

4972. Now in the matter of water are you prepared to tell us this : First of all, are you satisfied that sufficient water cannot be obtained from Table Mountain ?—I don't know enough about the water on Table Mountain to express an opinion.

4973. You are not able to tell us whether we should have to go further afield than Table Mountain ?—No, I don't know anything of it at all for a certainty, but I do not think that the supply from the mountains in the Peninsula is nearly exhausted yet.

4974. In looking for more water, and, seeing that so much has been taken from Table Mountain, would you not first wish to know the total quantity it is possible to get from that source ?—Certainly.

4975. Would you commence in that way in considering the question ?—Yes ; I would judge by what has been got from the area drawn upon already, and generally its capabilities of supply.

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4976. And only after that information had been forthcoming would you look further afield?—Yes, we would then know what we would have to look for further afield.

4977. You are not prepared to indicate the direction further afield?—The best available outside source would be the best direction for you to look.

4978. Your general knowledge would not warrant your recommending the Commission?—I know several sources, but I don't know the difference between them yet as to water available.

4979. *Dr. Anderson.*] I understand you to say that you are in favour of a Board of Works being formed for the Cape Peninsula, with representatives on it elected from the other Municipalities, who would be carrying out the smaller duties assigned to such Municipalities?—Yes.

4980. Could not the Board of Works elect from its members District Committees to look after the wants of the different districts?—No, that would be cutting up the work which your Commission has been appointed to sew together, as it were.

4981. But would you give the Municipalities certain duties to perform apart from the Board of Works?—Yes, outside of drainage, water, and electric light.

4982. Cannot those duties be delegated to Committees of the Board of Works without having separate Municipalities?—I don't think it would work. The Board itself would consist of members of the Municipalities, and the Municipalities should form their small committees.

4983. The question would be: whether the representatives would be elected directly by the ratepayers or indirectly by the Municipalities?—I think it would be better for the small Municipalities to look after the smaller things, and from amongst their number representatives will be appointed for their Board of Works, which will then be the better machinery for looking after the larger works.

4984. But then the members of the Board of Works would not be directly responsible to the ratepayers?—Oh, yes, because the Board of Works would be made up of members of the Municipal bodies.

4985. They would not have the same responsibility if they were elected by a particular ward or district as if they were elected by their Council?—For detailed matters the Town Council would have to appoint committees.

4986. *Chairman.*] The point, as I understand it, that Dr. Anderson wishes to get at, is this: would the appointment of the Board of Works be direct by the ratepayers or would the Councillors of the various Municipalities select them indirectly?—I take it that the Town Council and the various Municipalities would select reliable men from their own bodies.

4987. The point is: the advisability of choosing them directly from the ratepayers or indirectly by the Town Council?—No; by the Town Council.

4988. *Dr. Anderson.*] You are in favour of indirect representation?—Oh yes; especially as the Town Councils are elected by the ratepayers, and they would be the people to elect members from amongst themselves, and then matters dealt with by the Board of Works would be subject to the approval of the Government.

4989. Then you say that no works have been completed here, but what about the Cape Town drainage system?—I did not say that it was not complete, but I said we did not know how it would work until we had more experience of it.

4990. You were answering some questions with regard to the calibre of the men who have been returned to represent the ratepayers on the present Municipalities or bodies; I suppose you refer to all representations?—Certainly.

4991. If you are going to get the ratepayers to elect their representatives, they could elect whom they like?—Yes.

4992. But if the Board of Works were constructed you would have a smaller number of men but you would get picked men?—Oh yes, taken from each Town Council.

4993. I should have thought that you would have been able to have got all the information that you require from the authorities?—The matter was never referred to me.

4994. I may take it that it has not been brought before you officially, but there is no duty imposed upon the Municipalities to refer to you such matters?—No, but I think it is the duty of the Municipalities to make the information public

4995. But it is all public?—I don't know.

4996. Have you any knowledge with regard to sewage running out to the sea in England?—No.

4997. *Mr. Dyer.*] In the event of this Board being appointed by delegates from the Municipalities, you would still have the outside districts to deal with; how would you deal with them?—Do you mean so far as the roads are concerned?

4998. Yes.—The maintenanee of the roads might be taken over by the Government or the functions of the Municipalities might be extended to look after these roads. They have the machinery for looking after roads in the Municipal areas, and all they need do would be to spread out their road parties if they were properly organised.

4999. But, looking at the map of the Cape Peninsula, it would seem impossible for the Municipalities to look after all the roads?—My idea is that in the first instance the Government should take them over, but if that cannot be done then the functions of the Municipalities should be extended; and in the same way the functions of the Village Management Board at Durbanville should be extended to deal with roads in that direction. But I should prefer the Government to take over the roads, and only suggest the other as an alternative.

5000. *Mr. Lawrence.*] If the Government took over the outside roads they must pay for maintaining them and constructing new roads; how would you raise the mouey for keeping outside roads in order?—As I stated, by having a smaller rate than is paid at present and tho deficiency to be made up out of general revenue.

5001. Would you rate the Municipalities for the outside roads?—In the same way as they are rated now.

5002. Could you tell us of any good source of water supply in the Cape Peninsula or near the Cape Peninsula?—No; nothing beyond the two or three whieh have been spoken of and investigated, but I have not investigated them myself.

5003. Have you inspected them?—No.

5004. Have you any idea where we could get a good supply?—These that have been mentioned—Steenbras River, Palmiet River, and the Berg River supply.

5005. The Berg River supply: is that the Oliphant's Hoek River?—Practically.

5006. You have never inspected these?—No.

5007. Has your department inspected them?—No.

5008. Or investigated them for the Government?—No.

5009. With regard to the establishment of this Board of Works in Melbourne, can you tell us whether it has been satisfactory?—No, I cannot tell you that.

5010. But it was established some ten years ago?—Yes.

5011. And you don't know how it has been working?—Yes, from the report of Mr. Thwaites, which is quite modern, in fact last year's.

5012. His report would be more recent than ten years ago?—Yes, 1901.

5013. His report deals with the working at present?—Yes, and with the result of the working with regard to the water supply.

5014. Supposing that this Commission were to recommend that a Board of Works be established here for the administration of affairs in the Cape Peninsula would you recommend Government nominees on the Board?—This is a matter for consideration; but I think that the works undertaken should have the approval of the Government.

5015. Would you be in favour of Government property being rated in the Municipality?—I don't see that any change is called for, as Government is rated already.

5016. But the Government would be interested in the administration?—Only as property holders and guardians of the public interest.

5017. And in the same way ought to pay rates?—I suppose they would have to.

5018. *Chairman.*] Do you know the Berg River at all from its entranee into the sea upwards?—Only as a geographical expression. I have seen it in different points.

5019. Have you inspected the roads there?—Well, I have travelled over the roads.

5020. Do you know the Twenty-four Rivers?—Yes.

5021. Have you been over that river?—Twelve years ago.

5022. What is your recollection of it?—As far as I can recollect, it was not really a river at the time—just pools of water here and there. It was very dry, but as a matter of fact I was not considering the questiou of water supply at the time.

5023. Are you acquainted with the report sent in by Mr. Bain with reference to water supply?—No.

5024. You could not give the Commission any idea as to the suitability of that source of supply for Cape Town?—I could not express an opinion on it; I only know it on the map really. I think any water taken from it would have to be taken in time of flood and stored.

5025. That seems to be the feature of all the supplies within the range of Cape Towu?—Yes; it is the only fair way.

5026. I suppose you have hardly studied the working of Local Government so closely that you would be able to tell us what the effect upon Local Government would be by the institution of your Board of Works; I mean with special reference to making a comparison between, say, the success of such a Board of Works as that at Melbourne and its probable success here?—No, that means a good deal, because you have different people to deal with.

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5027. And have you not a different condition of things altogether to deal with ?—Of course, things are different. The necessity of extending such a large area in Melbourne for catchment purposes does not exist here to the same extent. The Melbourne business is a much larger one than we have to deal with here.

5028. You are aware that it was a fact at the time when the Melbourne Metropolitan Board was instituted that practically nothing had been done in the way of water supply,sewerage or drainage in that area ? – Well, something had been done in Melbourne, but I don't know what the condition was, or to what extent the works had developed.

5029. And you are aware that the area over which this Board was instituted was a very much larger area than we propose to deal with here ?—Oh yes.

5030. It is more scattered ?—Oh yes, much larger but of the same nature.

5031. And they had there something like twenty boroughs or wards to deal with all under different constitutions ?—Yes, and you will probably have twenty different ones to deal with here at the rate of progress and growth of the Municipalities.

5032. Take the case of the city of Cape Town itself at the present time : for the last thirty or forty years these large matters have been in the hands of the Mayor and Corporation ?—Yes.

5033. And you think that it would be in consonance with the general feelings of human nature that the Mayor and Corporation would like these matters to be taken out of their hands and put into the hands of a Board and for that Board to rate them in a way that they would have no control ?—I think they would have control.

5034. But would they like that ?—I don't think they would like it ; they would prefer handling the money themselves.

5035. What would be the difference between the Board of Works and the Municipality handling the money ?—It would be subject to the approval of the Government which it is not at the present time.

5036. With the exception of Cape Town, it is the case now ?—Yes, where Government loans are granted.

5037. Then your difficulty might be got over by providing that the consent of the Government must be obtained in the same way as is done with the Local Board of London before any great work is carried out by the Municipality ?—Yes.

5038. So that as far as that is concerned, there is no great necessity for your new Board ?—Yes, I think there is, because they would be in a better position to represent the interests of the people generally.

5039. You would still allow this Board to be elected by the people ?—Yes.

5040. And it would do away with the Divisional Council, I presume ?—In the Cape Division, yes, where I think it should be abolished.

5041. How far would the Board of Works deal with the Divisional Council ?—The Divisional Council would be abolished entirely as far as the Cape Division is concerned.

5042. Your Board of Works would be a Divisional Council writ large ?—Town Council writ large.

5043. Then your Board of Works would be the Divisional Council notwithstanding ? —The whole lot, with regard to large matters of common interest.

5044. At the present time twelve members of the Divisional Council are elected by townspeople ?—Yes.

5045. What guarantee could you give us that your Board of Works would be differently constituted ?—ou would have a staff and you would have Government supervision. Now all kinds of jobbery are going on, and we have no means of checking them, and even if we do we get no credit for it.

5046. Will you furnish us with a copy of the report of Mr. Thwaites ?—Yes, and I would at the same time recommend the Commission to examine Mr. Craig and Mr. Duminy of my department.

THURSDAY, 1st MAY, 1902.

Present :

Hon. Sir Bisset Berry (*Chairman*).

Dr. A. J. Gregory.	Mr. W. E. Gurney.
Dr. A. J. Anderson.	Mr. T. Stewart.
Mr. Lawrence.	Mr. J. E. R. de Villiers.
Mr. T. N. Dyer.	

Mr. William Edward Moore further examined.

Mr. *W. E. Moore.* 1st May, 1902.

5047. *Chairman.*] Have you anything more to say on the question of drainage ?—Yes, but before you go on to that, Mr. Chairman, I would like to say that you asked me the other day to try and supply you with certain plans : I have them here now, and I have asked Mr. Menmuir, our Town Engineer, to attend with me in order to give you any information you want in regard to these plans.

5048. Are those the plans relating to the drainage scheme or to the waterworks scheme ? -- Waterworks.

5049. Have you any objections to leave those plans with us ?—Well, they are at present being used in connection with the works, but I think they could be left with you for a few days, so that you could inspect them, and then you could at a later date call Mr. Menmuir to supply you with further particulars. I think we could leave them till Monday. [Plans put in.]

5050. Then we will fix a date after that for Mr Menmuir to appear again ?—Yes. Then I also wish to make a further remark with regard to the question put to me the other day, as to whether plans were prepared for the drainage—one for Woodstock and one for the joint outfall—and I am informed, upon inquiry, that the original plan is the present one which embraces all four of the Municipalities, and that no plan has been prepared pure and simple for Woodstock alone, but that the original was so drawn as to enable the others to join in. You further asked me to see Mr. Olive. I have not seen him myself, but I received a letter from him, which, with your permission, I will read ; it is as follows :—

"Cape Town, 30th April, 1902.

"PENINSULA COMMISSION.

"MAIN DRAINAGE.

"Dear Sir,—Referring to the minutes of proceedings reported in to-day's press, and your enquiry as to any possible alternative proposals to the present scheme as approved by the suburbs, I would point out that this has been decided upon as being the most thorough and economic method of treating the question.

It might be suggested, though I must not be considered as recommending the following :—

1. Assuming the point of outfall is not approved before the construction of the works is entered upon, pump the whole of the sewage and deliver a mile or two further along the shore, or to sufficient distance to satisfy the advisers of the Harbour Board.
2. On the assumption that the works have been executed as designed, and objection arises from the future inhabitants that will reside in the vicinity of outfall, introduce on line of main trunk sewer sewage disposal works, and use the proposed sea outfall as constructed as an effluent carrier.
3. Separate schemes of sewage disposal works for each of the four Municipalities concerned, conveying the effluent water by joint carrier to the sea.

Such proposals are quite feasible and are only matters of additional expense.

"I am not prepared to enter more fully into particulars until the *onus* of frustrating the present scheme has been fixed upon the parties responsible for the additional costs involved by any substituted scheme.

"(Signed) WM. THOMAS OLIVE,

"Consulting Engineer."

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5051. *Dr. Gregory.*] Could you say whether we could get Mr. Olive to come before us later on?—Mr. Olive is a professional man and probably requires to be paid for his services—that may be his reason for refusing to come,—but he has in this letter given you his views.

5052. *Chairman.*] As far as the Town Council of Woodstock is concerned, I suppose you would have no objections to his coming here and giving evidence?—Certainly not; there will not be the slightest objection on the part of the Council, because it is desirable that all possible information should be placed before the Commission.

5053. *Dr. Gregory.*] The plans for the drainage scheme: in whose possession are they now?—They are in the possession of the Council—in the office; and they are very elaborate.

5054. Would the Council be prepared to lend them to the Commission?—I don't know, but we are having our fortnightly meeting on Monday next, and I could ascertain from them.

5055. I ask that because last time, when you were examined, you said that it would be a desirable thing if a series of questions could be formulated, and that then the Council would endeavour to have those questions answered: Now, if we had these drawings before us, we would be in a better position to judge what questions we would like to put to Mr. Olive?—I will bring the matter before the Council on Monday.

5056. I notice that Mr. Olive in the letter which you have just read to us gives three alternatives in regard to that scheme?—Yes.

5057. But there is a fourth, and that is pumping the sewage into the Cape Town main drain and then discharging it at once into the sea with the Cape Town sewage?—I don't know that that has been considered. I may mention, however, that originally it was contemplated by the Cape Town Council to carry their main drain along the lower road through Woodstock to a place they contemplated at the time turning into a sewage farm. The drain was to have gone right across the bed of the river to the sand beyond. I was in the Cape Town Council at that time, and an inspection of the place was made, and we found that the sand there was only 18 inches deep, with a bed of ironstone beneath. We therefore could not utilise it for the purpose, and at that time there was some correspondence carried on in which a proposal was on foot that Woodstock could join on to the Cape Town drain for the disposal of their sewage.

5058. If you are going to pump, there would be no objection, I presume, in the Council's opinion, to pumping it at once into the Cape Town main sewer, provided of course there is sufficient capacity to receive it?—It has never been before the Council, but I take it, that if such an idea were entertained, we would have to procure the consent of the Cape Town Council, and it would become a question of terms.

5059. Would you have any objection to having that correspondence looked up, with a view of ascertaining whether the proposals of the Cape Town Council as regards receiving the Woodstock sewage entered into the basis of a contribution?—I remember that there was no basis of a contribution then; that was to be arranged afterwards. They merely ascertained whether Woodstock was willing to come in but no special terms were settled.

5060. *Chairman.*] We will now go on to the question of streets, and roads?—Before you go on to that, Mr. Chairman, I wish to refer to the question put to me by Mr De Villiers, "as to whether I was aware of any decision in regard to the rights of parties relative to stormwater which had accumulated." I have been looking up the authorities in similar cases, and to the case of Struben, which he mentioned. I find that previous to this case and in some cases antecedent to that, Judge Watermeyer had decided that "water rising on a man's own land was private property; that one case has been modified by later decisions, and the ruling to-day is quite in accord with the previous decisions. The two points upon which this case rests appear to be that when running water is once impressed with a public or common character it cannot be taken for non-riparian purposes," and so on. The Chief Justice remarked upon the case as follows:—"Whether the original right of a riparian proprietor to the flow of water is in virtue of his ownership of land upon the bank or his presumed title to the bed of the river *usque ad medium filum*, that is the middle towards the bank, is the only legitimate user by him of the water other than such rights as he may have acquired by prescription for purposes connected with his ordinary occupation of the land on the bank." Then with regard to stormwater it was laid down by the Court that percolating water becomes private property, and as percolating water does not come from below, but must come from above, it can only arise from stormwater, "and percolating water captured on private property may be dealt with like any other private property."

5061. But it does not quite meet the difficulty here, because the stormwater falls on to the collecting area of 34 square miles, and before it is stored it is brought into

the bed of a perennial stream?—Yes, but acquired by the Woodstock Council by the purchase of all these riparian rights of all the owners. Whatever their rights were, have been purchased by the Woodstock Council, and forms part of the scheme.

5062. That I am aware of, but the doubt that arises in my mind is whether that purchase determines the matter as far as the lower riparian proprietors are concerned?—You mean below, along the Berg River?

5063. Yes.—That is another matter.

5064. I will just read to you certain evidence that was given here on this subject by a member of the Water Management Committee:—

> "Have you made any investigation of the Oliphant's Hoek supply?—Oh yes, we have been there picnicking.
>
> "Has it been gauged?—Yes.
>
> "So far as the information before you is concerned, are you favourably disposed to that?—Personally, I like it, and the Board is favourably disposed. It is of excellent quality, but there are great difficulties. In fact, insurmountable difficulties.
>
> "Perhaps it would be as well to tell us why you think them insurmountable?—We will never get over the question of riparian rights. It runs through the Malmesbury and Paarl Districts, and all the farmers along the river use it. If it is shut off higher up, stagnant pools will result all along the Berg River. In years past, when I was representing Malmesbury, I invariably found that when a case of fever broke out in that part, it was due to that along the Berg River.
>
> "Is the Oliphant's River the main source?—Almost the main source.
>
> "And you speak of your own knowledge?—Yes, I know the scheme will be opposed by no less than three Divisional Councils."

What have you to say to that?—That is a matter of opinion by that gentleman.

5065. Just so, but we must take opinions in evidence, and satisfy ourselves upon the points when they are raised?—With due respect, I suppose what the Commission would go on would be hard facts—I mean as regards a matter of that kind.

5066. Opinions start us on the hunt for the hard facts, and that is how we come to look for facts?—The evidence there is evidence given in the principal case, and that goes smoothly enough, but when the witness is brought under cross-examination he has to state upon what he bases his facts, and you know that very frequently the witness stumbles.

5067. That is so, but the point I want to bring out is this: We don't put these questions simply for the sake of putting them, but we may find that a witness who comes before us raises a doubt in our minds, and thereafter we would have to bring our minds to bear upon the points raised, and so get at the facts?—I don't for a moment suppose that the questions are put for any purpose other than to elicit the fullest information required by the Commission.

5068. *Mr. Lawrence.*] Legislation would be necessary?—The Legislature would be very chary of interfering with the rights of persons unless those persons got compensation. The principle of the expropriation of land for Municipal purposes is based upon giving compensation. If the land is required for public purposes, then you will have to compensate these people. But with regard to the riparian rights, persons must prove their rights and, having done so, if it is essential that they should be deprived either in whole or in part, they must be compensated, and I feel sure that the Legislature would not go behind that principle, of course we know that the Legislature *could* hang a man without trial, but they would not do so.

5069. *Chairman.*] Then you are prepared to admit that in such a case as you are dealing with, legislation may really be necessary?—Yes, it may be.

5070. *Mr. Lawrence.*] So in the case that we are dealing with of procuring a sufficient supply of water for this Peninsula, it may be necessary to legislate in dealing with the question of riparian rights?—Of course, when the Municipal Council applies to Parliament, they will require an Act for the purpose of raising this loan, and in the ordinary course the Bill will come before a Select Committee which will be appointed by Parliament, and all these questions will have to be gone into and the facts elicited.

5071. *Mr. Dyer.*] Cannot you raise money for obtaining water under your general Municipal Act without going to Parliament?—I don't think it would be advisable to do so; for instance, in bringing the water pipes along the main road, it would be a matter of arrangement with the various Divisional Councils. Supposing that one of the Divisional Councils became obstinate, the Municipal Council would have no power, and then they would have to come to the Legislature all the same, so that the best course would be to go to the Legislature in the first instance in order to obtain certain powers.

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5072. *Chairman.*] Is it admitted generally that legislation would be necessary in the case of such a scheme as you are proposing being undertaken?—I don't know.

5073. *Mr. Lawrence.*] Is it not the case that you only go to Parliament when you require money?—No, not only when we require money; for instance with our present Waterworks we had to go to the Legislature to get certain powers.

5074. But you have powers under the Municipal Act and Public Health Act?—Yes.

5075. And you also have power for expropriation purposes?—Within our area, but I don't think we could go beyond the limits of the Municipality. The principle would be the same.

5076. But cannot you go outside the Municipality under the Public Health Act?—Yes, but I would strongly advise that we should go to the Legislature.

5077. You will have to, because you want to get the money?—Yes.

5078. *Dr. Gregory.*] Cannot this be done under the Public Health Act; you can go outside your Municipality and under Part 8 of the Act you can raise loans, and under Section 84 you can expropriate?—I am not sure whether we could bring water from the Orange River, for instance, under the Public Health Act.

5079. If you get the consent of the Minister?—I see Section 18 reads as follows:—

> "It shall be lawful for any urban local authority to undertake, carry out and effect, or cause to be undertaken, carried out and effected, all things necessary for the purposes of—
>
> (*a*) Any scheme for the supply of good water or for the improvement of any existing supply.
>
> (*b*) Any scheme of sewerage or drainage, or for the removal or disposal of night-soil, or other decaying, offensive or unhealthy matter, including town refuse, or for the improvement of any such scheme:
>
> Provided that such local authority shall satisfy the Minister that the intended scheme is suitable and the best practicable; and, provided further, that no scheme involving expenditure exceeding one quarter of the amount of the preceding year's revenue, derived from rates, shall be undertaken without the consent of a majority of ratepayers present at a meeting duly convened in manner provided by the law under which such local authority is constituted, or, in the case of a Village Management Board, a majority of the registered voters present at a meeting convened by the chairman after fourteen days' notice published in a newspaper circulating in the district."

5080. Then look at Section 19?—Yes, I see Section 19 reads as follows:—

> "For the purpose of carrying out any scheme for the supply of water, as in the preceding section mentioned, any urban local authority may either within or without the limits of its district from time to time purchase or acquire the right to any water or waterworks, or undertake, or cause to be undertaken, any works for impounding, storing or distributing any water to which such local authority has a legal right, or construct, keep in repair, alter, extend or maintain any waterworks, and may carry any pipes into, through, or under any street, and, after giving reasonable notice, in writing, to the owner or occupier of its intention of so doing, into, through, or under any private land or premises, or compulsorily acquire any land or premises, and for these purposes may make such compensation as may be mutually agreed upon or fixed by arbitration; and all such waterworks shall be vested in the local authority."

5081. Then Sections 22 and 23 provide for an enquiry in the event of your getting opposition. The Minister may appoint some person or persons to enquire into and report upon the intended work?—The question is whether the Legislature contemplated that we could do this without going to Parliament for fresh power. I don't think it is absolutely necessary, but I doubt whether the powers under the Public Health Act would be sufficient to enable us to raise this loan of £300,000, and for this, I think, we might have to go to Parliament.

5082. *Chairman.*] The Select Committee appointed by Parliament would have the Bill before them, in which the points involved would be set forth in various sections in the Bill, and they would report whether it is advisable to give the powers asked for or not?—I don't say positively that we are obliged to go to the Legislature, because it is clear that the Public Health Act of 1897 has given us larger powers than we had under the General Municipal Act of 1882.

5083. *Dr. Anderson.*] Section 18 of that Act only refers to an Urban Local Authority; it does not say anything about an amalgamation of local authorities?—I don't think it would matter if they amalgamate, so long as each one has the power.

5084. *Chairman.*] I presume there is not much that we require to know from you about the streets of Woodstock as apart from what we may call the Divisional roads?—In Woodstock we are placed in this position that we have two main roads—the upper and the lower main road—and we are the only Council outside of Cape Town in which that is the case.

5085. In the return for 1901 that I hold in my hand, the Divisional Council states that they are maintaining 4⅞ths miles of road within your area?—Yes.

5086. And the Divisional Council claims to have spent in respect of that 4⅞ths mile of roads £827 8s. 2d. per miles?—Yes. Is the total expenditure given there?

5087. Yes, the total expenditure is £3,515 5s. 0d.?—Yes, I thought it was close upon £4,000.

5088. And in that same year the revenue derived from rates within your Municipality is given at £2,535 15s. 0d.?—Yes.

5089. So that you are in a different position from some of the other Municipalities inasmuch as more has been spent within your area than has been raised?—Than was raised under the last assessment, but taking the increased valuation upon the properties the rates which would now be derived from the assessment would be much larger.

5090. I have a return for 1902 in which the revenue from Woodstock now is put down at £3,852?—And is the expenditure given against that?

5091. No, the expenditure is not given, but supposing the expenditure would be the same as the year before—£3,515—then the balance would be on the other side, and you would be contributing more than what is expended on the main roads within your area?—Yes; previous to 1882 the Municipalities through which main roads ran had to contribute half of the cost of maintenance and the Municipal Council of Woodstock had to contribute half of the cost of maintenance, as well as paying the Divisional Council rates. An Act was passed in which Parliament exempted the Municipal Council of Woodstock from paying that contribution, and that, I think, was done on account of the fact that there were two main roads running through the Municipality.

5092. I see that you attended and took part in a Conference of Municipal Delegates held in Cape Town in January of this year?—Conference of Mayors?

5093. Yes.—Perhaps, before you pass on to that, Mr. Chairman, I would like to mention that when, twenty years ago, the Municipal Council of Woodstock started their works, there were no streets beyond main roads, and now there are 163 streets, giving a length of 25 miles.

5094. All that has been constructed by the Municipality?—Yes.

5095. A good deal of it from loans?—Partly; originally during the five years that I was in the Council when it first started we constructed 27 streets all out of revenue. We had no loans, although a small sum had been borrowed from the Bank.

5096. You have not applied the proceeds of sales of Municipal lands to the construction of streets?—No; we had purchased the two pieces of land; the one in order to obtain road-material, and the other in order to have a depositing ground for the refuse of the town, and that has effected a great saving, because, instead of removing the refuse a great distance as Cape Town has done and has to do, we utilise that ground for the purpose, and at the same time reclaiming it as it was covered by water during spring tide.

5097. But I understood you to say the other day that the Railway Department propose to expropriate that piece of land?—They have expropriated a big portion of it, and they are now negotiating for another portion, and of course they would have the power to expropriate it all for public purposes. They propose to lay down new lines of railway, and they have notified to us that they wish to purchase; we have agreed to the sale, and it only depends upon certain arrangements to be made with regard to a right of way.

5098. A point that I want to ascertain is this: whether you would still have enough ground for the purpose of depositing your refuse after this further portion has been expropriated by the Railway Department?—Oh, yes, there is an abundance of land left to us. We have reclaimed it and increased its value considerably.

5099. In the present condition of your Municipal streets there is nothing much of interest to know; you are doing your best to construct the streets, and so far you have constructed them out of loans for which you are paying interest?—Partly out of loans and originally out of rates. When we first commenced constructing it was done at the expense of the Council out of revenue; but when the new Act of 1897 came into force we have insisted on the owners paying their shares *pro rata*.

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5100. You are putting in force the most recent legislation on the subject?—Yes.

5101. And now in the matter of the financial relationships between the Woodstock Council and the Divisional Council, they have altered, and you are contributing now more than is spent upon the roads within your area?—According to that return, yes.

5102. And you are inclined now to look a little more closely into Divisional Council matters?—Well, hitherto they have done their work fairly well, and you must bear in mind that along the lower main road the whole of the traffic from outlying portions of the district is carried, and of course the road could only be maintained at considerable expense, and is still maintained at considerable expense.

5103. Assuming that the figures are correct, then it would leave the Divisional Council in possession of a revenue of something like £350, in accordance with the present valuation, which they would have at their disposal from Woodstock, and we may look upon this as your first contribution towards the maintenance of roads outside your Municipal area?—Indirectly, it would be so.

5104. Up to this time more money than you have contributed has been spent within your own area?—Yes.

5105. Now I come to the question of the resolutions adopted at the Conference?—Yes.

5106. You were present at the Conference held some time back?—Yes, we had several meetings, and when the resolutions were adopted it was agreed that they should be sent to the different Councils.

5107. It was on the 24th February, 1899?—Oh, as far as I am aware, nothing took place then.

5108. Then there was an adjourned meeting on the 23rd January, 1902?—I think you will find towards the end of the resolution that it was adopted during the present year 1902.

5109. At all events, this resolution, which was adopted unanimously and sent to the different Councils, was as follows:—

> "That it is in our opinion desirable and necessary that measures be adopted for conferring upon the Municipal authorities of Cape Town, Woodstock, Maitland, Durbanville, Mowbray, Rondebosch, Claremont, Wynberg, Kalk Bay, Simonstown, and Green and Sea Point, all the powers and duties in regard to roads now existing, and situate within the respective Municipal areas and vested in the Divisional Council of the Cape, provided the various Municipalities are willing to contribute their *pro rata* share according to the Municipal rateable value of their property towards the upkeep of roads outside Municipal areas, subject to special consideration being given to Kalk Bay, Simonstown, Maitland and Durbanville."

Is not that correct?—That was long before I came into the Council. I only came into the Council in August of last year. I was not present at any of those meetings. Since then——

5110. I am reading the Minutes of a Conference held in Cape Town on the 5th and 19th December, 1901, and on the 23rd January, 1902?—Yes, I was present at those meetings, but there was a considerable difference of opinion amongst the delegates.

5111. But the resolution is said to have been carried unanimously?—I think the resolution that was carried unanimously was—"That this resolution which had been adopted should be forwarded to the different Councils for their consideration," and that was done.

5112. There seems to be some misunderstanding about it. The resolution that I refer to was proposed by Mr. Gibbs, and seconded by Mr. Ball, at the meeting of the Municipal Delegates held at Claremont; it was passed by this Conference, and at the end it says "Carried unanimously"?—Yes, it was agreed to unanimously, but the resolution should be sent to the different Councils. That was the object, and I can show you the resolution which was adopted upon that by the Woodstock Council.

5113. What is your opinion with reference to that matter; that is to say shortly, on the principle involved in that resolution that the Divisional Council should cease to control the main roads and divisional roads within Municipal areas, and that the control should be vested in the Municipalities, and that the Municipal Councils should make a contribution towards the maintenance of the extra Municipal roads?—In regard to that there was a difference of opinion in our Council, but it was carried by a small majority.

5114. You appointed a Committee to consider these resolutions?—Yes, and then the Committee brought it up before the Council, and the following resolution was the first adopted:—

"That it is in our opinion desirable and necessary that measures be adopted for conferring upon the Municipal authorities of Cape Town, Woodstock, Maitland, Durbanville, Mowbray, Rondebosch, Claremont, Wynberg, Kalk Bay, Simonstown, Green Point and Sea Point, all the powers and duties in regard to roads at present existing and situate within the respective Municipal areas and vested in the Divisional Council of the Cape."

I voted against that.

5115. That is the same as the resolution which I read to you with the exception that it omits the last sentence?—Yes, and I will read to you further two resolutions which were adopted:—

(1) "That the Main and Divisional Roads passing through the Municipalities be maintained by the said Municipalities."

(2) "That the various Municipalities shall have the same rating powers as those possessed by the Divisional Council."

And the following two resolutions were recommended to be disapproved by the Council:—

(1) "That the Municipalities which maintain their main and divisional roads and contribute to the maintenance of country roads shall elect members of the Divisional Council in the following proportion: Cape Town to have two members, and all other Municipalities one member each, the outside wards to be represented by members elected by the public."

(2) "That in the event of the scheme recommended by the Conference receiving the sanction of Parliament, the valuation of the several Municipalities be taken as the basis of their *pro rata* contributions for the maintenance of roads in districts outside the limits of the said Municipalities."

The Council as a whole was in favour of having no responsibility for outside roads; that they objected to, and the majority of the Council were in favour of having the control and maintenance of the roads running through the Municipality.

5116. *Mr. Gurney.*] Are you only speaking of the Woodstock Municipality?—Yes, only of Woodstock; they would have no responsibility in regard to roads outside the Municipality.

5117. *Chairman.*] But now, is that your view too?—Yes, the Divisional Council have done their work very well and they could deal with the roads outside the Municipality as hitherto; my own individual opinion is that it would be far better to leave it as it is, but that is not the opinion of the majority of the Woodstock Council.

5118. Then, individually, would you be in favour of giving a contribution towards the maintenance of these outside roads?—No.

5119. But would you allow the Divisional Council the control?—Yes, the control and the maintenance of roads out of revenue outside of the Municipality.

5120. You are of that opinion because you say that the Woodstock Council does quite enough in the way of maintaining the roads by attending to the sections of the roads passing through your area?—Quite so. Of course it may be argued—and it has beeen argued—that the Council derives the benefit of the supplies coming from outside, but then, as far as Woodstock is concerned, indirectly it may receive some benefit, though as a matter of fact Cape Town receives the greatest benefit as the principal portion of the supplies go there. They all converge to Cape Town, and the traffic mostly passes along the lower main road and causing the very heavy expenditure on that road.

5121. Well now, is this opinion of yours—and as far as I can gather, of your Council—about this contribution, intended to apply to all the Municipalities in the Peninsula or only to Woodstock?—Only to Woodstock.

5122. You say that Woodstock could reasonably claim exemption which Cape Town could not claim?—Yes.

5123. And which perhaps Mowbray and Rondebosch could not claim?—Yes.

5124. There should be different dealings with Woodstock on account of its heavy expenditure in maintaining that 4½ miles of main road?—Yes.

5125. Well now, on the general question of contribution; what is your individual view?—My own individual opinion is that the present system has operated well. Originally they had the Central Road Board. Then there was a desire for a change, and they created the Divisional Councils; and now there seems to be a desire for another change, but my own view is that the Divisional Council has done its work well, as far as I can see, and I see no reason why there should be any change in that direction, and why those matters should be taken out of the hands of the Divisional Council.

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5126. But you are in favour of the change so far as to vest in the Municipal Council the control of the roads passing through their areas?—My own individual opinion is not so, but the majority of the Council of Woodstock hold that view.

5127. You would rather continue the Divisional Council's control of the main roads passing through Woodstock as at present?—Yes.

5128. We will assume that the other view was to prevail, and that it has been resolved that the maintenance and up-keep of the Divisional Council main roads passing through these Suburban Municipalities should be handed over to these Municipalities on the conditions specified, and that it has been further agreed that the Municipalities shall give a contribution towards the up-keep of Divisional roads?—Yes, I follow.

5129. Then how do you think that contribution should be raised?—Well, it can only be done by means of a special rate to be levied for the purpose.

5130. But would you give the Divisional Council the power to levy the rate within the Municipalities?—Do you mean the new Divisional Council?

5131. The reformed Divisional Council. Suppose that Rondebosch had to make up a contribution, we will say for the sake of argument, of £750, would it be your view that the Divisional Council in respect of that amount should value the property of Rondebosch and assess a corresponding rate, or would you say that the Divisional Council should, having determined the amount of the contribution, inform the Municipal Council of Rondebosch thereof and say, "You must see that we get that £750"?—Of course, that is rather a difficult matter to decide upon; it would be unfair to Rondebosch, where the number of main roads——

5132. You will understand that I am only assuming that it was agreed that these Municipalities should make this contribution, and in that event I wish to know how the contribution is to be raised?—The only way, I believe, would be by a rate on the rateable value of the property in the different Municipalities.

5133. But by the Municipal Council or the Divisional Council?—I take it by the Municipal Council, to the extent of their contribution.

5134. And the Divisional Council would send its precept to the Municipal Council requiring the money?—Yes.

5135. So that the Divisional Council would have nothing to do with the method of raising the money, but would demand the sum from the Municipality?—Yes, if the Divisional Council were to assess the rate then there would be dual control, and I don't think that is desirable.

5136. You say in addition that it is a matter for the serious consideration of the various Municipalities that they have to maintain the roads which pass through their own areas? They are sufficiently handicapped thereby?—Yes, that is a very heavy expense.

5137. And would you have this regarded as a set-off against any contribution to outside roads?—Yes.

5138. Following that up, I see by the Divisional Council return, which I hold in my hand, that the amount of revenue which they got from the extra Municipal property in the Cape Division in 1901 was a little under £2,839?—Yes.

5139. And that would now be lessened by the amount raised in Maitland and Durbanville, which have become Municipalities by something like £700, so that in round figures the revenue would be a little over £2,000?—Yes.

5140. And for the present year they put down their revenue at £2,331 from the same source?—Yes, but do they give the expenditure against that?

5141. No, not in this return; this is an estimate of revenue. Now, from what you know of the property in the Cape Division outside of the area of the Municipalities, do you think that that is, comparatively speaking, a fair revenue to get from that property?—Certainly not.

5142. In other words, you take it that the property outside the Municipal areas is undervalued?—Yes, I think it is well known that throughout the Colony the Divisional Council appraisements on farms have been very low.

5143. If you take their return that I have here the valuation of the total property is £681,000 outside the Municipalities, and that includes Maitland and Durbanville which are valued for about £150,000. So that deducting this £150,000, the whole outside valuation would be only about £530,000?—If a syndicate were to be formed and they could obtain the properties at that price, they would make an excellent investment.

5144. For the present year the valuation of the outside properties seems to be £895,000?—There is a slight increase of about £300,000.

5145. As far as I can understand the return, it makes allowance also for the elimination of Maitland and Durbanville, so that this would be an increase of the

valuation that way. But still you don't think that would be a sufficient amount to place upon that property?—I think not; there should be a considerable increase without doing any injustice to the owners of the properties.

5146. Do you think that it would be possible to increase the valuation of the outside properties to such an extent as to give a revenue sufficient to defray the whole cost of the upkeep of these Divisional roads?—As a matter of fact I have not gone into it, and I cannot say on the spur of the moment. It is difficult to answer the question off hand.

5147. You will allow this: if there is a grievance here in that respect it is a grievance which you share in common with every division in the Colony?—Yes, certainly.

5148. There are many of course who would say "that the towns are rather excessively rated, but still that it is only fair that they should contribute something towards the upkeep of the outside roads"?—Yes.

5149. You would not go so far as to apply the principle universally that all the Municipalities should be exempted altogether from assisting in the maintenance of the roads outside?—Oh, yes; I would go so far as to say that the upkeep of the outside roads must be maintained by the extra Municipal properties alone.

5150. Is that the principle obtaining, say in England and Scotland? Is not the town property there assessed for the maintenance of country roads?—I have not gone into that matter and am not prepared to answer that question, but of course there are many rules and regulations carried out in England and Scotland which would not be applicable here. In Glasgow, I think,—I am not quite sure—they don't assess any rates at all, as they derive sufficient revenue from their trams. So that in many instances we could hardly enforce here the rules and the practice that exist in England or in Scotland.

5151. I was only looking at the principle that the towns may fairly be asked to do something towards the maintenance of country roads?—Well I am not prepared to admit that; and you must bear in mind that there is another thing and that is that the tolls have been done away with, which mean simply that the revenue, which was derived from the tolls and which was contributed by those who cut up the roads, has now to be spread over the property owners instead of those who are using the roads.

5152. Now I take it from what you say that you are not in favour of abolishing the Divisional Council?—No.

5153. Well, is there any additional power that you think it would be advisable to put into the hands of the Divisional Council?—No, I don't think it is necessary; as far as they have gone they have answered very well.

5154. As far as the roads are concerned, but with reference to anything else like public health matters?—No, because the Municipalities have the power.

5155. But outside the Municipalities?—Where the Municipalities have no control under the Public Health Act, there the Divisional Council might have the same powers as those exercised by the Municipal Councils. Experience has taught us that it is very desirable; take, for instance, the question of those Shambles that have been erected.

5156. Have you any suggestions to make with reference to the mode of electing Divisional Councillors?—There was that resolution which I have read which was adopted at the Conference but which was not passed by the Council, and it contains a suggestion which could be followed if there is to be a change.

5157. That is: that the Municipalities should elect members for the Divisional Council instead of the ratepayers?—I think you will find it in the resolution, which I have read and of which I think you have a copy.

5158. That resolution states "that the Municipalities which maintain their main and divisional roads and contribute to the maintenance of country roads shall elec members of the Divisional Council in the following proportion:—Cape Town to have two members and all other Municipalities one member each, and the outside wards to be represented by members elected by the public."—Yes.

5159. Then I take it that the Municipal Councils are to elect the members, and not the ratepayers?—I take it it would be the ratepayers outside the Municipalities, but the Municipalities would nominate one of their members to be on the Divisional Council.

5160. What is your individual opinion on that point?—I don't think that there should be any doubt upon that.

5161. You are in favour of the method of indirect election?—Oh yes, although indirectly elected they are directly representatives of the ratepayers.

5162. But the ratepayers don't directly choose them?—No.

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5163. What is your recommendation in favour of the proposal?—If there is to be the change suggested by the majority then that plan would be the best mode of election.

5164. Don't you think that that would be very much in the direction of quashing all interest on the part of the ratepayers in the Divisional Council?—No; I don't think that, but the only thing is this: if the Divisional Council or the reformed Council is to be elected in that way, consisting of a number of representatives of Municipal Councils, that they would concentrate their efforts to maintain the roads running through their Municipalities, and that then the outer roads would be to a certain extent left unattended. Not entirely; but to a certain extent, as we have seen here in town, but when we come to the question of amalgamation of the Municipalities I will point out why I think that.

5165. You don't follow the resolution quite, inasmuch as you don't accept the principle of a contribution by those Municipalities?—No.

5166. Consequently, I don't see how you could coincide with this resolution?—I only say if there is to be a change, then that would be my suggestion. Of course you have to assume now that the Municipalities would have to contribute to the roads outside their areas.

5167. Then if your own views were to obtain, you are not prepared to urge any change in the method of election?—No; continue as at present. Then of course they would still have the power to rate. If they are to be deprived of dual control in one respect they would have to be deprived of dual control in every respect.

5168. I shall be glad to hear your views on valuation?—Both with regard to the Divisional Councils and Municipal Councils, men are employed and have to take the oath that they would value the property at what they believed it would realise, if put up voluntarily to public auction. Well, my own idea for a long time has been that there should be a change, and I was in hopes that the Government was going to introduce a general Municipal Act throughout the Colony giving the Municipalities greater powers than they possess at present. But I consider that each Municipality should have its own valuator—an official appointed by the Municipal Council to value their property. Then the Valuation Court should not consist of members of the Council or of the Council as a whole. They should be independent persons sitting as a Court, so that the Municipality could appear for the purpose of maintaining the valuation made by their official, and the parties owning the properties for the purpose of endeavouring to lessen the valuation, and then the Court would adjudicate and decide upon it. When members of the Council sit on the Court, there may be, though perhaps not intentionally, a tendency to favour some of the parties, and that would also apply to the valuation of the properties. The valuator might say, "this owner is a poor man, and we therefore won't value his property to its full extent," and still if that property were put in the market it would fetch a good deal more. Besides, the Councillors sitting on the Court seem to forget that they are the representatives of the ratepayers. Take, for instance, Cape Town; there, often scenes have occurred which should not have occurred, and that does not apply only to Cape Town but elsewhere, where people coming to make their objections scarcely get a fair hearing, and they are ridiculed for raising the objection; and for these reasons I am in hopes that there will be some alteration.

5169 You still seem to be of opinion that the Municipal Council should elect the valuator without any stipulation of their choice being submitted to another authority?—I think an official valuator should be appointed for the valuing of the property.

5170. I mentioned to one or two of the witnesses about the law of New Zealand in that respect?—I am not acquainted with it.

5171. There, in terms of an Act, the Government appoint a Valuer-General, and this Valuer-General has to approve of the valuers for every district throughout the country, and it is his duty to keep the valuation lists for every district. That does not do away with the local Court, but all officers are approved of by this head official, and in that way a great deal more satisfaction seems to be obtained in that Colony of New Zealand. Do you think that any such plan would be advisable here? The main point of difference between us is this: that the method of New Zealand is that the valuer selected by the local authority is approved of by the head official of the Capital? I prefer my own idea, and that is that the valuer should be an official of the Council.

5172. Is there any reason why he should not be an official approved of by a Government officer?—That is met if you have an independent Court, which is so very essential, to decide upon the valuation.

5173. That is the case with the local valuer and the Valuer-General?—It would mean an independent Court?

5174. Yes, I think so.—Then of course it comes to the same thing. The Court will decide upon the fairness of valuations of the valuator, and the people will get a

proper hearing. At the last valuation in Cape Town many persons came to object, but they found that it was hopeless in one way. It may be that their properties were not excessively valued, but it may be on the other hand that they were not correctly valued. Take Woodstock, there were very few reductions on the whole. We accepted it as a very fair valuation. Every person who had an objection stated his case, and we took the facts into consideration before coming to a decision.

5175. Now, do you see any necessity for two valuations—one by the Municipality and one by the Divisional Council?—No. One could be accepted for both—the Municipal valuation could be taken. Suppose that Woodstock is valued by the Municipal Council for £2,000,000: well a certain sum is required by the Divisional Council, and a certain rate could be taken on the valuation of the different properties which would be sufficient for their requirements, and if the properties were valued for less they would have to increase the rate, so that there is no reason why they should not accept the Municipal valuation for both Municipal and Divisional Council purposes.

5176. It is as long as it is broad?—Yes.

5177. *Dr. Gregory.*] In regard to the roads, the Tramway Company runs right through your roads from one end to the other?—Yes, the upper road.

5178. When the tramway was given these powers, was your Council represented, in order to defend your Municipal interests?—The matter came before the Council, but do you mean before Parliament?

5179. Yes, and before the Select Committee?—I forget at the moment whether it was so or not. I will have a look into that matter, but the Select Committee report will show.

5180. You don't know whether there was really any organised representation made in order to protect the interests of the inhabitants of Woodstock?—I fancy there was something of the kind; some representations were made to the Council, I believe.

5181. But as a matter of fact, were representations made to protect the interests of the Woodstock inhabitants, and to see that their interests have been properly conserved?—In what respect do you mean?

5182. Take, for instance, the road from what used to be the Toll House, and extending for a considerable distance into your Municipality. There is barely room for a vehicle to pass on either side of the tramway. They can just pass, and at the one end they cannot pass on the one side at all?—Yes, of course, that is when the trams are running, but in the interval there is plenty of room, and besides you must bear in mind that this is a divisional road.

5183. At the present time the tram line runs close to one side of the road?—No, more in the centre.

5184. No, it is not quite in the centre?—Only where the loops are it is on the side of the road, but the main line runs principally in the centre.

5185. Principally; but practically there are portions where a vehicle can only pass on one side of the road?—Yes.

5186. And have you noticed that the rule of the road cannot be observed because all the traffic runs on the one side?—Yes, but it is observed for the most part.

5187. But there are portions where it could not be observed?—Well, I have noticed that the drivers will not adhere to the rule. They will keep on the wrong side of the road.

5188. That is because they have to pass the tram?—No; even when the tram is not there. The majority of vehicles as they come along utilise the rails as the wheels seem to run smoothly along them, and they will not turn off, and then when the tram comes along there is a certain amount of congestion, as the vehicles have to stop to enable the trams to pass.

5189. As a matter of fact, just beyond what used to be the Toll Gate, the road is in a dangerous condition owing to the vehicles coming in the direction of Cape Town always running on the wrong side of the road?—Well, I am not prepared to say that that is so altogether.

5190. But it is so in the case of vehicles coming towards Cape Town; they are all running on the wrong side?—Yes, because passing through the toll the line is laid all along the tramway building until it comes out from there and then gets into the centre of the road; of course, that is an arrangement made with the Divisional Council.

5191. You will admit that that is a most improper state of things?—It should not be, of course.

5192. The Tramway Company should not have been allowed to lay the line unless they had undertaken to widen that road?—It is a very big question, because either they would have had to do one of the two things: either make the footpath narrower or expropriate the property alongside.

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5193. As a matter of fact, concerning the portion you are speaking of now, the Tramway Company have the remedy in their own hands; they own the ground there on the one side and they have erected their buildings and power station there?—Yes, at the Toll, but that is a very small portion.

5194. Although that is so, that portion they could have done without very much expense?—I cannot say without very much expense, but they could have done it. But speaking of the rest of the road right outward, they would have had to do one of two things: narrow the side path or, in order to widen the road and keep the side walk the same width, they would have had to expropriate land all along.

5195. Now it is not only in your Municipality that this state of things occurs; do you know where Orange Street turns out of Long Street, that there is a very sharp S curve and there is no room on either side of the road, and besides this: you cannot see the trams coming?—That is so.

5196. It is quite clear that no powers should have been allowed over these positions unless the roads were widened?—That is a matter for the Town Council.

5197. Quite so; it is their fault and that applies to all the Town Councils in regard to the powers given to the Tramway Company?—There is this difference that the tramway which is laid in the Municipality of Cape Town is under the control of the Town Council, but, outside, the roads are under the control of the Divisional Council. Woodstock has no power; the power is in the hands of the Divisional Council, and then, of course, there is a certain amount of vehicular traffic and some inconvenience will result, but the tremendous boon conferred upon the people is proved by the enormous traffic created. I have no interest whatever in the tramways and I am simply speaking as one of the public.

5198. What I am coming to is this: that a dangerous state of things has been allowed to take place at certain portions of the roads in the Cape Peninsula owing to the tram lines having running powers over the very narrow roads without any steps apparently being taken to insist on these roads being widened?—I certainly think that it would have been wiser if some measure had been taken to widen the streets at certain curves, but not beyond that.

5199. Are you not of opinion that the interests of the inhabitants would have been better conserved and looked after had there been one body responsible for the roads in the Peninsula?—No, I don't see how that could be. The very matter that you complain of in Orange Street was under the control of one body—the Cape Town Council.

5200. But you say that you have no control over these matters because the Divisional Council was the proper body which should have looked after them so far as your area is concerned, and that they neglected their duty?—No, I am not prepared to say that they neglected their duty. The complaint is, of course, simply and purely on account of the vehicular traffic and there is no great danger, and so far comparatively few accidents have happened, and those to vehicles.

5201. But there are people on vehicles: as a matter of fact it is a dangerous thing for cyclists who are not expert riders to ride along portions of the Woodstock road?—Well, if they are not expert riders they should not ride along that road.

5202. You don't think that the interests of the inhabitants would have been any better conserved if you had had one combined authority looking after them, instead of a number of units, who took barely any action in the matter?—No, I don't think so, judging from what has occurred in Cape Town. My own view is this: that when they were laying down the tram line it would have been a wiser course to have laid it on one side of the road.

5203. Is it not a fact that in England, Tramway Companies have been compelled to widen the road at their own expense?—I don't know. It is my misfortune that I have never been in other countries, but I will give you an instance of what the Tramway Company did in the lower portion of Hanover-street; they purchased a corner there to widen the road, and for a triangular bit of ground they had to pay £1,200. Of course, when a company is started, they should be prepared to meet all these contingencies; still I am not prepared to say on the whole that either the Municipality has neglected its duty or that the Divisional Council is to be blamed. When the Tramway Company applied to the Divisional Council for the road, I gave it as a matter of opinion that the Divisional Council had not the power, inasmuch as they could only control and maintain the road, but that they had no power to give that right to the Tramway Company. The opinion of counsel was taken, and Mr. Schreiner agreed with me, while Sir James Rose-Innes (then Mr. Innes) held the opposite view.

5204. Then the Divisional Council practically looks after its own interest and not that of the Municipality?—I think it looks after the interests of the public.

5205. The Cape Town Tramways are really a very lucrative undertaking, are they not?—I am not a shareholder nor am I director on the institution, but on the

face of it, it certainly would seem very lucrative from the immense amount of traffic, but on the other side you must look at the expenditure, and people are little aware of the amount of money that has to be expended by the Company. I am prepared, however, to say that it is lucrative. It is hardly likely that the Tramway Company would be running the concern for the pleasure of the public.

5206. You are aware that their stock now stands considerably over one hundred per cent. above its nominal value?—I am not conversant with it.

5207. At any rate, if it is lucrative, there is no reason why they should not be compelled to make these alterations when they lay down their lines?—Those are certainly after all abstract questions. When the Tramway Company started their operations, no one ever contemplated that there would be such a tremendous traffic created, and wherever they have been running their trams, we must look at the great increase of the value of property, so that indirectly, or you may say almost directly, the ratepayers have benefited because of the increased value of the property bringing in an additional revenue.

5208. You consider all that a good set off against the danger to the travelling public?—No; nothing could be a set off against the danger of the travelling public or a danger to life, if there is such a danger. That is a question now between the Railway Department and the Municipalities with regard to the loss of life along the suburban line. In the loss of life with regard to the tramway, as far as my memory serves me, there have been very few instances where it has occurred through their fault.

5209. *Chairman.*] I believe it is a fact that the Cape Town Council had it in their power to construct the tramways in Cape Town?—Oh yes.

5210. And they declined because they did not think it would be a paying concern? Yes.

5211. And the Tramway Company of course had no *data* upon which they could go to enable them to judge whether they were going to get a good percentage for their money or not?—Yes. I was a shareholder in the old horse Tramway Company, but we could not even pay a dividend; then this new Company started with these unexpected results.

5212. I presume, in putting the question, the idea was to try to bring the case home that the local interests of the inhabitants were not sufficiently protected?—Yes.

5213. *Mr. Gurney.*] As a matter of fact, you will recollect that the Divisional Council and the Cape Town Municipality did compel the Tramway Company even to take up their lines in some places and relay them with a view to arranging for the safety of the public?—That shews that they did not neglect their duty in that respect.

5214. *Dr. Anderson.*] About the depositing of the refuse on the piece of ground you mentioned: do you deposit any stercus there?—No, only house refuse, and it is continually burning.

5215. Has any of this land been built upon?—Yes, there is a gas house.

5216. But other dwellings?—There is a dwelling there too. I know that medical men have an idea that it is dangerous, but before we sold any of the land we had trial pits sunk and we found that the ground was perfectly dry and innocuous; there was nothing offensive about it.

5217. Did you have the soil analysed as to the quantity of organic matter?—No, there was nothing for the microbes to live upon.

5218. You are of opinion that the Divisional Council does its duty well? and with regard to the duties under the the Public Health Act?—I am speaking of the Divisional Council of the Cape; they have paid attention to any matter to which their attention has been called, as we saw in the case of the Shambles where they took the matter in hand at once.

5219. But as far as I could gather from the evidence given here, they took no part until the time of the plague?—No, I could not say; I thought before that.

5220. Of whom would the Valuation Court consist?—Government should appoint members, I think, and a Barrister should preside over the Court which might consist of three or five; at all events they should be appointed outside the Municipal Councils.

5221. Then, coming to the question of tramways; am I right in understanding that they were laid at the sole cost of the Tramway Company?—Yes.

5222. Of course you are aware that in England tramways are laid at the cost of the Municipalities even if they are not worked by the Municipalities and leased to a company?—Of course it would have been better if the Town Council could have followed the example of the Durban Council where they have some spirited and energetic people where, although it was in the hands of a private company, they have taken over the whole concern.

5223. Supposing it had been all one Municipality and that the tramway therefore would have been laid through one Municipality instead of through so many different

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ones, don't you think that the safety of the public would have been better guarded?—No, I don't think so.

5224. You don't think the fact of having so many Municipalities to deal with this one matter of tramways has weakened decided action?—Each Municipality would look after their own interest; and thus they would see that each section is looked after and that things are properly carried out, whereas if you have one large body they might not give that attention to it.

5225. With regard to this road at Woodstock where, on account of the tram line running on the one side, it is difficult to pass the tram, you are aware that in England a plan for laying a tramway must be submitted to the Board of Trade, and that a certain space—nine feet—is insisted upon?—I was not aware of the space that was required, but I know that it goes to the Board of Trade and then, besides you have much wider roads to deal with in England. If that had to apply in this country you would have no tramways at all.

5226. Perhaps it would be better to have none at all than to have them under these conditions?—If you took the plebiscite of the Peninsula you will find that a very considerable majority would be in favour of the tramway.

5227. And about the widening of the roads?—They could only be done by expropriation.

5228. And as a matter of necessity they might have to be widened?—Yes.

5229. Well, then, if the roads have to be widened who will do it? the Municipalities?—No, the Tramway.

5230. But you have no power to compel them?—No, but it would be done through the Municipalities. The property would be expropriated through the Municipalities, and in that way the Tramway would be compelled. We have had a case like that where the Tramway have come to the Municipality, and it has expropriated, and the Tramway have had to pay.

5231. You are taking a case where the Tramway Company wanted to widen the road, and I am taking a case where the general public might want to widen the road?—You would want further power.

5232. Therefore the interest of the public has been neglected in favour of the Tramway Company?—No; take the Divisional Council and the Camps Bay Tramway Company. When the Company wanted to lay down the line I accompanied the engineer over the proposed route and drew up the regulations which were very strict. After that the Tramway Company wished to avoid some of these regulations, but the Divisional Council insisted upon their carrying them out.

5233. Do you consider the present fares reasonable?—Yes, I should think so.

5234. And do you have workmen's trams?—Oh, yes.

5235. What do they charge for workmen?—I don't know, but I should like some medical man to ride in one of these workmen's trams and see the condition.

5236. If cheap trams were run for the workmen would not that relieve the congestion in the city?—I don't know how that would overcome the congestion of the traffic in the city, because if the workman has to pay a higher rate the wages would be higher and the employer would have to pay for it.

5237. They could live in the suburbs and you would not have so many people living in the city?—I don't think it would have that effect.

5238. *Mr. Lawrence.*] Regarding the tramway scheme, were not the Suburban Municipalities consulted by the Divisional Council before the matter came to Parliament?—I think so, but I was not in the Council at the time. There was something done, I believe, but the report of the Select Committee will shew.

5239. And the Suburban Municipalities agreed as a matter of fact to the tramway being constructed before the Divisional Council gave permission?—No, the Divisional Council was first consulted.

5240. At any rate the Municipalities did not object before the Bill came before the House?—No.

5241. And they had been consulted?—I am not prepared to say.

5242. With regard to the accidents occurring on and the management of the Tramway, how do the accidents on the Tramway compare with the accidents on the Suburban Railways?—Very few on the tramway.

5243. But on the Government Railways there are constantly accidents?—Yes.

5244. So that the tramway is safer for the public than the railway as far as accidents are concerned?—Yes.

5245. With regard to this Court that you spoke of, how would that be composed?—I understood you to say that there was only to be a barrister?—No, I said that a barrister should be the presiding officer, and then the Government should appoint persons outside the Municipal Council.

5246. What would be their qualification? Private individuals or valuators of property or what?—Private individuals who have a knowledge of the property. The principle of valuation that I have advocated is the return which the property will give and I consider 12½ per cent. a fair guide. A house for instance in No. 6 District consisting of four rooms would bring in £5 a month, but if that house were placed in the main street of Cape Town it would bring in from £10 to £15, therefore the valuation should be on the principle of the return that house brings in, so that it would be a very simple matter for the Court to say whether a valuation is fair or not.

5247. You are in favour of the valuer being appointed by the Government?—No.

5248. And the Valuer-General?—No.

5249. And with regard to the auditing, would the Government appoint the officer?—Yes, certainly; it should be a Government officer, a competent man. Under the present system, by which the ratepayers elect the auditors, it often happens that an incompetent person is appointed. He may be as incompetent to do auditing work as I am to build a ship; but they are elected by the ratepayers merely through canvassing with the object of getting the fees attached to the post. You may, however, have the most perfect system possible, but if you have dishonest persons in your employ they will rob you.

5250. Then occasionally there is the necessity for a Government officer to inspect?—Yes, you cannot have anything perfect. Government has been robbed, banks have been robbed, and however perfect your system be, those things will continue, but at any rate a strict system of auditing will operate as a check on dishonesty.

5251. You don't consider the Government system perfect?—No.

5252. Would you be in favour of Government nominees being on the Municipality?—No, I don't think it is desirable unless in places like Cape Town, where the Government pays rates, but elsewhere where the Government pay no rates they should not have any vote in the matter. The principle is, that the people who pay taxes should have the voice in the distribution of those taxes, and where the Government don't contribute towards the taxes they should have no voice.

5253. But they do contribute, nearly in every Municipality?—How?

5254. For Government offices?—I am not aware that they do in country districts.

5255. Oh, yes, in Kimberley they do?—Well then, wherever they pay rates they should be able to appoint a nominee.

5256. *Chairman.*] Then the Bank would have the right to nominate a member?—No, the Bank is different; the Government is a governing body, but still that is a very nice question.

5257. *Mr. Lawrence.*] So that we have a Valuer-General and an Auditor-General?—No Valuer-General, but a valuer to each Council.

5258. I mean the auditing is to be done in the Auditor-General's office?—Yes.

5259. And then we have Government nominees on the Council?—Yes.

5260. *Mr. Dyer.*] Just one point about the valuators; what is your system in the appointment of valuators?—The Municipality call for tenders for the purpose, and then tenders to value at a certain price are sent in.

5261. So much for the whole valuation?—Some do it for the whole and some so much per house. Then the Council consider the tenders and they decide. Of course the lowest valuator is not always desirable, and they judge of a man's capabilities.

5262. Is it the custom of Woodstock to do it per house or in a lump sum?—Lump sum.

5263. Does the same custom obtain both in the Divisional Council and the Municipal Council?—I think it does, but I am not quite sure. I think in both cases it is done for a lump sum.

5264, 5265. *Chairman.*] Government is becoming a very large creditor, and this may necessitate some radical change in the system of valuing?—That might become necessary. It all depends upon the men who perform the valuation. For instance, if "A" values and I know his method of valuation, I would probably deduct 10 per cent., whereas if the same applied to "B" I would add ten per cent., simply because of my knowledge of the men.

5266. And the Government has no officer of its own?—I am in favour of the Municipalities having a valuator, but I see no reason why I should not fall in with the suggestion that there should be a Valuer-General.

5267. In the matter of lighting?—We have gas lights and no electric light.

5268. Are you making any arrangements for electric light?—No, we are well served by the light we get; they give us incandescent lights and we increase the number as we go on.

5269. Has the Gas Company any monopoly of the lighting in Woodstock?—No, I don't think so. Supposing the Electric Light Company offered to give us a supply and we were willing to take it there is nothing to prevent such an arrangement.

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5270. It is quite competent for you to enter into it?—Oh yes.

5271. And it would be quite competent for you, I suppose, to organise your own works in that behalf too?—Oh yes.

5272. But there is no move in that direction at the present time?—No.

5273. Can you give any reason for that; is it on account of the comparative cheapness of gas, or is there another particular reason?—Well I think that the present system is much cheaper than they could do it themselves.

5274. I am speaking as comparing electricity with gas?—Gas upon the whole is cheapest.

5275. And you find yourselves so well supplied in Woodstock that the necessity for a change has not become a burning question?—We are fairly treated.

5276. Have you any wash-houses in Woodstock?—No, but we contemplate putting them up.

5277. Where would they be placed?—Near to where the gas-house is.

5278. On the refuse ground?—No; on a small portion which is not exactly reclaimed, but which is a natural formation, and we propose putting the wash-house there. There is some water flowing down from the Bromwell Spring which could be utilised for the purpose.

5279. Do you allow washing in Woodstock at the present time?—No, it is carried on down at Salt River. There may be some done in private houses, but we don't allow it publicly.

5280. You don't allow washing in yards or open spaces in the Municipality?—We have no open spaces in the Municipality for the purpose, but we don't allow it in yards.

5281. And if it is done, where does the water flow into; does the water flow into the gutter?—Yes, it flows down the gutter, and we generally prevent that kind of nuisance.

5282. You have no public works or Municipal undertakings in existence?—No.

5283. The question of the Municipal staff we went into under the head of "Finance"?—Yes.

5284. *Dr. Gregory.*] The inhabitants in Mowbray district have electric light?—Yes; there is a Company supplying them.

5285. And the inhabitants in Cape Town have electric light on the other side of Woodstock?—Yes.

5286. But the inhabitants of Woodstock have no electric light?—No, except that there is a Company at Mowbray.

5287. Does that come into your Municipality?—No. They brought in some to a few churches, and we make them pay a nominal sum just to show that they have not the right to do so.

5288. So that your area is in a position that the inhabitants on each side of it could get the electric light while you could not get it yourself?—We could.

5289. You could perhaps, but the inhabitants could not?—It would not pay the Company. The majority of the people prefer having the gas than the electric light on account of the latter being more expensive. Of course the electric light is not unaccompanied with danger.

5290. *Chairman.*] The ratepayers have not approached the Council for the electric light?—No; only for the gas lights to be increased in the streets.

5291. *Mr. Lawrence.*] Is gas much used in Woodstock for domestic and cooking purposes?—I don't know. I have had it for years, but with regard to other properties I could not tell. It would be a very wise thing, and it could be worked very economically, but with the servants we have nowadays, unless the lady of the house controlled it it would become a very expensive item. In time of sickness, however, it has proved a great benefit.

5292. *Chairman.*] Now, have you anything to say about the advisability of altering your boundaries in any way. I think you are very much shut in at Woodstock. The Surveyor-General has given us the perimeter of your district as 6·6 miles; you are bounded by Maitland to the extent of two miles, Cape Town $1\frac{1}{4}$ miles, Mowbray $1\frac{1}{2}$ miles, making a total common land boundary roughly of $4\frac{1}{2}$ miles. I presume that the sea and the mountain make up the rest. Now, do you desire to have any alteration, or would you prefer to remain as you are?—We are content to remain as we are. We are well protected on both sides. The only thing that I felt was the alteration in the original boundaries. The original boundaries of Woodstock, as proclaimed by the Government, made the inner line towards Cape Town the outer boundary of Woodstock, and that gave it more or less a straight line, but the alteration which was made at the time by a member of the Cape Town Council, who is also a member of the House of Assembly, in his anxiety to have power to levy rates upon what is now the Tramway Company's property, and who proposed an amendment whereby they altered

the boundaries outside, which gave them this present zig-zag shape. It would have been much more desirable if we could have had them in a straight line, because at present you may almost say you could have one foot in Woodstock and the other foot in Cape Town, just like the centre of the road.

5293. One foot may be an offender against the Municipal regulations and the other not?—Yes.

5294. There is no way in which the area of Woodstock can be increased except by buying adjoining Municipal property?—Yes; but it is not for the purpose of increasing the Municipality, but in order to give it a regular outline, that is all.

5295. Do any difficulties arise so far as your Municipal experience goes owing to the close proximity of other administrations?—No.

5296. As far as possible, I suppose, the various administrations try to harmonise with Municipal requirements?—Yes. One does not interfere at all in any way with the other. Recently Mowbray got into difficulty in regard to their drainage in a certain portion of the village, and the Railway Department took action against them. They could not get rid of their drainage for that portion without coming through Woodstock, and we readily came to their assistance. Now, that same trouble would have arisen if the Government had taken the majority report when the Commission was appointed on the Woodstock boundary question, and when I was influenced by the shape of the ground in handing in the minority report. That is why I was in favour of the boundary which is the centre of Observatory Road.

5297. That is an instance of how by harmonious working with Mowbray you got rid of a public difficulty?—Yes, and then Cape Town came to our assistance when we were short of water which of course we paid for.

5298. That harmony is due, I take it, to the good feeling of the Councillors at the time?—Oh, yes.

5299. You might have placed, if the Councillors were so disposed, a difficulty in the way of Mowbray?—Yes.

5300. All this will be got rid of when the great scheme of drainage is brought into operation?—Yes.

5301. Have you any views on the question of the amalgamation of two or three or more of the Municipalities?—I see now that the Mayor of Claremont is strongly in favour of the triple alliance, and that they will be a happy family. Of course it may be possible, but a difficulty may arise when they come to discuss the question of the seat of government. They have each a Municipal Hall and each may consider themselves entitled to the seat of government. Well, before now they tried it with the Liesbeek Municipality, and the result was that the three Municipalities were created. Of course they may be able to agree amongst them, but with regard to ourselves we stand alone for this reason: from the very outset we began upon certain principles; we had no funds in hand, and immediately after the Municipality was created small-pox broke out. The Councillors had to borrow money from the South African Bank to provide for all contingencies, and by working economically we were able to provide the sick with medical comforts and medical assistance; we also established a tent hospital on the beach side and we had upon the whole about five hundred patients suffering from small pox; the total amount that we spent was £452. And the neighbouring Municipalities had 180 patients, on whom they spent £1,200. In fifteen years we constructed 27 streets out of rates, and in spite of all the work that has been done we have never gone beyond 2d. in the £. Cape Town now has 4d. in the £; Mowbray has 4d. in the £ and a tenant's rate; so we stand in that position, and of course it would be admitted that we have made extraordinary progress considering that we have never gone beyond 2d. in the £; and these are the reasons which strongly influence the ratepayers in opposing an amalgamation with any of the other Municipalities.

5302. That objection is principally on the question of the rates; is it not a principle of the Municipal Act under which you are enrolled that the rating, in areas or the rating in wards of the Municipality may be made to suit the circumstances of that ward?—Oh yes.

5303. So that supposing you were joined to Mowbray or to Cape Town, could not the rating continue as it is at present?—No.

5304. Why not?—Not according to wards. Take, for instance, Cape Town. Originally you had the Municipal Commissioners and you had the Ward Masters. Frequently the two bodiss came into conflict and the Ward Masters were interested in their respective wards. Partly from a desire for a change and partly because of the conflict, the change was effected and yet some of the districts—for instance district No. 6—has been neglected and now there seems to be a cry for ward representation. But under the Act for certain special work to be done

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in certain places you could levy a special rate, but you cannot otherwise say "we will assess a rate of 2d. for District No. 1 and 4d. for District No. 2." I am certain that the ratepayers would fight tooth and nail against the amalgamation. Woodstock Council have gone on and have never exceeded their 2d. in the £, and there is an area still open which will be covered by a population very nearly equal to the population of Cape Town at the present moment. And then supposing that an amalgamation was made and that Woodstock annexed Cape Town, then people think under that supposition that things will be managed at less expense. Of course, there will be only one head, but there will be an increased number of officials and an increased number of engineers, and the result will be the same as in Cape Town, like District No. 6—some parts will be neglected. At the present time if one went through the streets in District No 6 and noticed the rows of houses built there without any street whatever, he could foresee what is going to happen in case of such an amalgamation; but if you have a smaller body like Woodstock, they have a certain amount of work to be carried out, and they concentrate all their energies upon that, whereas if their field of operation were spread over a larger area their energies would not be so great as they are at the present time.

5305. The first objection you gave was the question of rates?—Yes.

5306. And the next objection is the administration?—Yes.

5307. And now you give the question of representation?—Yes.

5308. Cape Town, you say, or rather a portion, is suffering some disabilities for a certain reason?—Yes.

5309. Well, may not the reason be that the Councillors of Cape Town are elected by the whole body of ratepayers?—Yes.

5310. There is no special election for District No. 6?—No.

5311. Supposing there was an amalgamation of "A," "B," "C," "D," "E," "F" and "G" Municipalities, is there any reason why Municipal area "G" should not elect its own representatives to the Council?—And form one whole body;

5312. Well, not a distinct body or unit, but a ward, or an electoral district?—I don't see what is to be gained by it.

5313. I am asking you, would it not be possible?—All things are possible.

5314. You will admit on the general principle that unless we could show a very decided objection to it, a union would be considered advisable?—No, it would not be considered.

5315. Would you not admit that a Municipality formed by an united Wynberg, Claremont, Rondebosch, Mowbray, Woodstock, Cape Town, and Sea Point would be a stronger body than any one of the seven bodies of which it is made up?—No, you will find discordant elements. There may be a happy family of two or three, but we know that there are always more discordant notes in a big family than in a small one.

5316. Suppose that you want to raise a large sum of money for a drainage scheme would you not be able to raise that money on easier terms if you had a stronger Municipal government?—Oh, that might be so far as the credit in obtaining a loan is concerned.

5317. Suppose the same thing happens with reference to water?—Yes.

5318. Would not your credit be stronger?—Yes, I take it that in proportion——

5319. Would not the united Municipalities, being responsible for the money, be able to borrow it on easier terms than one?—At present there is a water scheme under the control of four Municipalities, but they could not get a loan.

5320. A difficulty has arisen about that?—Yes, and I may say with regard to that that nothing has surprised me more than that they did not succeed to float that at a premium.

5321. But there it is?—Yes, there you have an instance of four Municipalities not succeeding in raising their loan, and when Woodstock alone applied for a loan of £30,000 there was no difficulty, and they got it at a premium, so that it does not follow that because four Municipalities join together there is so much more security in the eyes of the creditors. One would suppose that that would have been so, but there is the fact.

5322. Take the question of Municipalities generally. You want sums of money for paving streets and for constructing streets and footpaths and so on. You want a loan for these purposes. Would it not be better for the Municipalities to combine in raising that loan amongst themselves at the lowest possible rate?—I don't think so.

5323. The same would have reference to lighting. Do you think that if the Municipalities united they would be in a better position to go in for a comprehensive scheme of lighting for the whole of these Municipalities?—Take for instance Cape Town. They obtained a loan for that purpose, and yet how far

has it succeeded? It was contemplated with the new system of water supply from Table Mountain that they would have turbines for the purpose of promoting electric power. I don't think that has been done.

5324. There is a case of an individual Municipality with the little strength of little size?—No, but they are an old Municipality, and they have large credit. Woodstock has a certain liability at present, and they would object joining with any Municipality that has an enormous debt upon it. The debt of Cape Town Council is very large.

5325. Now that we come to the debt side of the question, could you tell me what in your mind is the objection on the score of the difference of indebtedness that you consider in the matter of amalgamation. Suppose the indebtedness of Cape Town is three times that of Woodstock, so that its percentage per head of population is three times the percentage per head of the population of Woodstock, how does that come to make amalgamation impossible?—Upon the same principle. If I am in business and I have a certain indebtedness, and there is another man who has an indebtedness to a very much larger extent. I join him in partnership. We take all assets merged into the partnership, and we are responsible for the whole. The difference would be that I would not benefit.

5326. But you would not be responsible for each others' private debts?—No, business debts. Suppose that Woodstock were to amalgamate with Cape Town and the two became one, the whole of the respective liabilities would devolve upon the one created body equally.

5327. Why?—You could not keep it separate.

5328. Why?—Upon the principle of indebtedness you would have all the assets thrown into the partnership, and all the respective creditors would have to consent that that should be done, and then the partnership would become liable for the whole. Take for instance the creditors of the Woodstock Council in the matter of those debentures. These creditors might say that they are not going to allow that security to be prejudiced by the Municipality becoming liable for the indebtedness of Cape Town. The moment that you become one body you cannot keep that separate in that respect, and then you will create an Act on the lines of the Cape Town Municipal Act and the rates will be levied at 4d in the £, and so you would at once make Woodstock liable for 4d in the £.

5329. Well, that is the point: is it, in your opinion, absolutely impossible to join a Municipal area like that of Woodstock with a Municipal area like that of Cape Town without having the rate for every matter in the one the same as the rate in the other?—No, you could not do it. The moment that they become one it is out of the question.

5330. But the Act could give them the power to discriminate between rates for different purposes?—Yes.

5331. Then your difficulty disappears?—No, because the moment they join, the members of the Cape Town Council will say they are not going to assess a rate of 4d. and leave Woodstock with a rate of 2d.

5332. Even if the Act provides for it?—When the Act provides you can insist upon it?

5333. Yes.—I don't think the Legislature will agree to that.

5334. The Legislature has not had to consider the difficulty up to the present time?—They would take the general principle and apply it. They would not give the one the power to assess a certain sum upon one property and a certain sum upon another.

5335. Well, we proceed upon the presumption that it is absolutely indispensable that it should be done; but suppose in working out the scheme of union we should find it proved that the percentage of indebtedness per head does not vary much throughout the whole Peninsula?—That does not affect the question; it is not a Poll tax, it is upon properties, and they will deal with them accordingly. And what is to be the representation? Is it according to wards or to population, because then that would give Cape Town the preponderance and they would have a majority on every occasion.

5336. But the percentage of indebtedness to valuation may not be dissimilar, and you may see your other objection against any system of representation, whether Parliamentary, Municipal or Divisional?—But Woodstock is quite content to go on in its own way. It has at present no desire to be joined to any Municipality. We say "We have built this house and we don't want any interference with it."

5337. I understand your objections on that ground quite well, but if we had to go and tell the Governor that we had found that the greatest objections to amalgamation take the form of a simple *non possumus* on the part of the persons interested we would not be very much further than when we started?—What then?

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5338. We would like to examine your difficulties urged against amalgamation You base them on the rates, administration and practically non-representation and it seems to me that all these difficulties could be got over ?—I think you will find that they cannot be got over. Of course the Legislature have the power to do certain things but the Legislature will frame no law except upon the general principle upon which laws have been passed.

5339. Well, now, we come to the alternative: would you have us here follow the plan which is adopted in Melbourne. They had there some years ago a condition of things existing, municipally, very similar to what exists here only on a larger scale: Instead of having seven Municipalities, they had nineteen or twenty to deal with, and the necessity arose for a better supply of water and for sewerage and drainage in the capital of the Colony of Victoria, and it seems to me with practically the same sentimental objections on the part of the various Municipalities, yet the Legislature of that Colony brought into existence the Melbourne and Metropolitan Board of Works and gave that Board the power to bring a water supply, to construct sewerage schemes, to rate the various Municipalities *pro rata*, for the necessary outlay, and generally to do the whole thing. Now, if you are brought face to face with the alternatives either of amalgamating the Municipalities or of a Board of Works, which are you going to choose?—Yes, that matter requires to be carefully weighed, and it is difficult to answer on the spur of the moment, and say what would be the effect of either.

5340. Now, what would be the effect upon what you may call the Municipal mind of the city of Cape Town of placing a Board of Works over the Mayor and Corporation? —I think they would rebel.

5341. And also to control a drainage scheme and lighting scheme and so on?—And with the power to rate them? I think they would rebel against it.

5342. What would be the effect in Woodstock?—Rebellion.

5343. And Mowbray?—I don't know.

5344. Well, now we are brought face to face with the additional situation that this area may be looked upon as an area belonging to the Colony, as it is the metropolis, and the Legislature might very well step in and say, "We cannot allow people who are living down here to do business as they like. It is the metropolis of the Colony, and we are going to do something for it." Is not that a possible view?—In what respect?

5345. If you have it put to you, amalgamation or Board of Works, which will you have?—Well, in choosing we must choose the lesser of the two evils, and I think Woodstock would have the Board of Works rather than amalgamation.

5346. Well, it is your view that we want to get at?—Yes; of course, I may say that there are very strong arguments in favour of a Board of Water Supply for the whole area of the Peninsula being appointed by Government. That would enable them to take the whole matter under their control and enable the Government to obtain the necessary funds to carry out the scheme which perhaps the Municipalities could not do. On the other hand the Municipalities take up these matters and if properly worked enable them to carry on the Municipal government with a small assessment or rate owing to a revenue that they derive from these undertakings. If they had to pay for the water to the Board the surplus revenue from it would not benefit them, but still there is a strong argument in favour of the creation of a Board for the water supply.

5347. And the same with refereuce to drainage?—No, not drainage; that is more local; but with regard to water there is a strong argument in favour of it, although the Municipalities would derive no direct benefit.

5348. Who would derive the benefit?—Well, the people if they get the water at a cheaper rate, but the Municipality would have to assess a higher rate to carry on their works than they would otherwise have to do. Take Cape Town, their water is giving them a very good return.

5349. Is that so?—Yes. They have had a good return which has enabled them to recoup themselves.

FRIDAY, 2ND MAY, 1902.

Present.

Hon. Sir BISSET BERRY (*Chairman*).

Dr. A. J. GREGORY.	Mr. W. E. GURNEY.
Dr. A. J. ANDERSON.	Mr. T. STEWART.
Mr. LAWRENCE.	Mr. J. E. R. DE VILLIERS.

Mr. William Runciman, M.L.A., examined.

5350. *Chairman.*] Would you give us your full name?—William Runciman.

5351 You are a resident of Simonstown and a Member of the House of Assembly for that Electoral Division?—Yes.

5352. You are also a Member of the Divisional Council of the Cape?—Yes.

5353. You have seen the Order of Reference of this Commission, I presume?—I have got a copy of it.

5354. I understand that you come in your individual capacity? You have not been delegated by any Board or Council to give evidence here?—No; I have been connected for a long time with Municipal work and with Divisional Council work, and I have a special interest in the Simonstown local Municipal affairs. And, as many of the questions forming part of the subject of inquiry of this Commission refer to Simonstown, I should like to express an opinion with regard to the future of the place. First of all, I might say that I don't desire to go into questions which might be clashing with what the Mayor and the Town Clerk, who, I believe, are coming to give evidence before the Commission, might have to say with regard to affairs at Simonstown. But there is one matter which I should like particularly to bring to the notice of the Commission, and that is the question of the Water Supply. Our total storage is 3,028,000 gallons; our supply during midsummer—the driest time of the year, say about the end of February—is 21,000 gallons in 24 hours. The present full requirement of the town is 75,000 gallons for 24 hours.

5355. At what supply per head is that based on?—I have not reckoned it out, but presuming that we are on full supply then every house would get 100 gallons, and the Hotels, Railway Department and other places of that kind would get according to their respective needs on application. We cannot meet the demands on full supply; we have what is called the dribble system.

5356. For domestic and trade purposes at the present time your estimate is 75,000 gallons per diem?—Yes; you will at once see what the difference is between the quantity required and the quantity actually supplied. The quantity supplied in the height of summer is about 50,000 gallons, so that if you take the storage off that you leave a deficiency of about 30,000 gallons a day, supposing that your storage runs out in 100 days.

5357. Does that cover the supply required for shipping?—No, that is simply for the civil population, and has nothing whatever to do with the Naval people, who have their own supply separate from the town entirely.

5358. And the Mercantile Marine, when they come to Simonstown, are they supplied by the Navy?—No; they are supplied from private springs of the town, but there is very little water supplied in that direction, as very few of those vessels touch at Simonstown.

5359. But would their requirements be included in the 75,000 gallons per diem?—No, exclusive of that.

5360. So that you have really no means of giving the Mercantile Marine, should they come to the port, a proper supply?—Practically, Simon's Bay now is a Naval station, and perhaps only four or five of these ships would come to Simon's Bay during the year.

5361. Then the Mercantile Marine is a negligible quantity?—Yes, at the present time.

5362. But if it became a place for the Mercantile Marine to resort to, your difficulties would increase?—Quite so; our town is rapidly increasing. Within the next eighteen months there will be an increase of population of about 1,500 or at the rate of about 1,000 a year, and that will gradually go on year by year. Our present population, according to an estimate that I have here, consists of about 3,500 inhabitants, exclusive of the Naval population.

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5363. Are they mostly white people?—Yes; within the next three years we reckon that our population will number about 5,000. Then with regard to the question of the water supply per head of population. I have worked it out by taking the present supply and the present estimate of population, and it comes to six gallons a day for each inhabitant.

5364. Where do you get your supply from?—We have a spring on the side of the mountain; the principal spring. Then our other source of supply is simply derived from the rainfall on the mountains; this water goes into a small dam we had made for the purpose in a kloof whence we have pipes leading it to our reservoir, and in that way we have considerably augmented our supply.

5365. Has that Spring been gauged?—Yes, and it yields 10,500 gallons in 24 hours in dry seasons. Of course in the winter it increases considerably. I may say that owing to the immense watershed we have there is no dearth of water at Simonstown in winter.

5366. But you have no means of storing it?—No.

5367. If you had the means of storing could it be brought in?—Oh, yes; the Admiralty have a dam on the top of the hill which they have constructed; it holds about 30,000,000 gallons. Simply, water caught up in the same way as is done with the rainfall on Table Mountain.

5368. And does this storage by the Admiralty interfere with the town sources of supply?—Very little; of course during the first rains the town would get nothing of the water until the Admiralty's dam is full, but the overflow goes to the town supply.

5369. Do they ever empty their reservoir?—Very often; it does not meet their requirements by a long way.

5370. Could that be enlarged?—Yes, they could build another reservoir and, I believe, it is their intention to do so, unless the town could shew them some means of getting a supply elsewhere or unless the town could supply them from elsewhere. Some little time ago I made some enquiries about some farms close to Kalk Bay with a view to an augmentation of supply, and one farm there yields something like 120,000 gallons per day—that is a place called Noord Hoek.

5371. Who estimated that?—The Municipal Engineer.

5372. What is his name?—Mr. Attridge.

5373. Is he a qualified man?—As far as I know, he is a very good man.

5374. *Dr. Gregory.*] Was that estimate made in the dry season?—Yes, about the middle of February.

5375. *Chairman.*] Could the water be utilised for Simonstown?—Yes.

5376. What becomes of it at present?—It is simply running to waste.

5377. Does it belong to anybody?—Yes, it is private property. It was offered to the Municipality for a certain sum of money, but unfortunately they did not push the thing through, or, through some hitch or other that they did not tackle it, it has remained in abeyance. If the Municipality went to work energetically, I believe they could get it without much trouble.

5678. You don't know whether that offer is still a firm one?—I take it we could still get the water.

5379. The price has not risen since?—No.

5380. How far is that from Simontown?—At the outside about 10 miles.

5381. Then I take it the idea would be to bring the water from there and store it nearer to Simonstown?—Well, you could store it on the mountain, and then supply the town from there with pipes, but the supply is such that it could be taken direct. The negotiations have not been advanced far enough to get expert advice on the matter.

5382. So that no scheme has been laid before the Simonstown Council with a view to bringing that water in?—No.

5383. Are you advised by Mr. Attridge that the scheme is feasible?—Oh, yes.

5384. Is there any other available source in your neighbourhood?—There is another source on the top of Red Hill, which yields about 60,000 gallons, but the riparian rights in connection with that would make it impracticable; there are too many farmers dependent upon the water.

5385. The streams go down past these farms?—Yes.

5386. And they use the water and have used it for a long time?—Yes.

5387. And these rights could be purchased?—Yes, but the price would be prohibitive.

5388. And the surplus runs to the sea?—Yes; it runs about five miles before it enters into the sea.

5389. There are a good many riparian proprietors there, you say?—Yes.

5390. And they use the water and look upon it as their property?—Yes; and then there is one farm which is entailed, and that would give us great difficulities; it would require special legislation.

5391. The whole thing would perhaps require special legislation?—Quite so.

5392. *Mr. Gurney.*] All for 60,000 gallons?—Yes.

5393. *Chairman.*] Is there any other source in Simonstown?—No; our nearest supply then would be Kalk Bay supply. It has an immense watershed and could yield a very big augmentation to our supply, and we might make arrangements to join Kalk Bay, but the expense would be very considerable.

5394. Are they utilising it?—They are not utilising all that could be utilised. Their dam is small, but it could be made larger.

5395. Have any observations been made with a view to testing the supply in that neighbourhood?—Not by the Simonstown Town Council; they have depended upon the information obtained from others.

5396. Has it a large collecting area?—Yes, above Tokai.

5397. Is that collecting area in private hands?—It practically belongs to the Kalk Bay Municipality. They have all the rights, I believe.

5398. How far would it be from Simonstown?—Not less than 15 miles from the reservoir on the top of the mountain.

5399. Kalk Bay is developing rapidly too?—Quite so; they would not be agreeable to give us any water from there.

5400. Not knowing what their requirements may presently be?—Certainly, and the advantages that they would require would make the cost of a supply from there for Simonstown prohibitive.

5401. These are all sources of possible supply on Table Mountain area that you have mentioned?—Yes, above Tokai, in the Constantia District.

5402. And all these possible sources of supply that you have indicated are all in connection with Table Mountain?—Yes; in connection with the Kalk Bay Mountain.

5403. I apply Table Mountain to the whole water collecting area of the Peninsula?—Yes, then that is so.

5404. The likeliest source for Simonstown is the overflow of the Admiralty reservoir?—That is the nearest scurce.

5405. Not the largest?—I should say that the better scheme would be the one above Noord Hoek which yields 120,000 gallons a day. The water from the Admiralty Reservoir besides is objectionable as it is highly discoloured, and there would be very little difficulty, if any, I think, in obtaining this supply of 120,000 gallons.

5406. *Mr. Lawrence.*] No riparian rights?—No, none at all.

5407. *Chairman.*] You propose to store the water in a larger reservoir for the use of the inhabitants?—Well, when we have a supply of 120,000 gallons and our requirements are only 75,000, we would not require, as I have said, any storage at all.

5408. Lead it direct?—Yes, and we could then assist the Navy by supplying them with water instead of their having to build any more reservoirs themselves, and I think it would be a very great help to the Navy to get a better supply.

5409. Pipes would have to be laid?—About ten miles.

5410. No estimate of the cost of the undertaking, I suppose?—Roughly, the Engineer gave an estimate that the purchase price of the pipes and a small dam would come to about £25,000.

5411. Do you charge at present for water?—Oh, yes.

5412. At what rate?—A general charge, according to the valne of the house.

5413. It is a rate?—Yes.

5414. How much is the rate?—About £1,500 a year.

5415. And the number of houses?—About 350.

5416. The average would therefore be about £5 per house?—Yes.

5417. It is rather high, is it not?—Well, yes; a house of the value of £200 pays £2 a year, and then it increases according to the value after that.

5418. Of course you could not say whether, if you get this extra supply, you would be able to lower the price or not? It would depend upon how the thing works out?—I don't think we could lower the price The question is to get the people a full supply of water. At present they are paying for water that they don't get.

5419. Would the water be at a sufficient elevation to supply the whole town?—Yes.

5420. Is it good water?—Oh, yes; beautiful, pure water.

5421. Can the area be protected against sources of pollution?—Oh, yes, by fencing.

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5422. Would your Municipality of itself be able to construct the scheme to bring that water in?—That brings me to the question that I wish particularly to give evidence upon, and that is with regard to the amalgamation of the Municipalities.

5422 (a). We will come to that presently?—Yes.

5423. *Dr. Gregory.*] Your statement of the 21,500 gallons per day is a minimum during dry seasons?—Yes.

5424. Because according to the return furnished by the Municipality of Simonstown the average daily consumption is 71,800 for 1901?—Yes, that is what should be supplied.

5425. No; 71,800 gallons is what has been actually supplied?—That is what they have paid for.

5426. Then the 21,500 gallons: is that the average throughout the year?—No, it is during the driest months of the year and that would last for about four months.

5427. And they should have 75,000 gallons?—Yes.

5428. Now you have no drainage system to speak of?—Oh yes, we have; the whole of what is known as "Old Simonstown" is entirely drained.

5429. With water closets?—Yes; but unfortunately some of the landed proprietors have not availed themselves of the drainage yet; but the whole of the town is completely drained with earthenware pipes. We laid drains amounting to about 12,000 feet of earthenware pipes.

5430. Practically, then, you ought to have the same daily supply as would be ordinarily required for a sewered town?—Yes.

5431. And that is about thirty gallons per head?—Yes.

5432. So that practically you ought to have for the present population of 3,500 about 105,000 gallons per day, and when your population has increased to 5,000, you would require about 150,000 gallons per day?—Yes.

5433. You said that the Admiralty had a reservoir with a capacity of 30,000,000 gallons; what is their consumption approximately?—It is difficult to estimate the consumption of the Navy, because it depends entirely upon the number of ships in the harbour. The ships are supplied from the Admiralty, and if a large number come and go backwards and forwards the demand is greater than otherwise.

5434. Is it within your knowledge that this reservoir is insufficient for their requirements?—Yes.

5435. The question of the Municipality and the Admiralty combining in a common scheme for water supply has not been mooted?—Not officially.

5436. Is there any reason, in your opinion, why it should not be done?—No; no reason at all, but I go further than that, and that is exactly what I want to bring out, that the Simonstown Municipality and the Admiralty should combine in the management of the Municipal affairs of the town; not only for water, drainage and lighting but for all other things as well. The principal inhabitants in Simonstown are more or less directly connected with the Navy. There are some of the permanent officials living in Government houses and there are others in the employment of the Navy who live in their own houses or hired houses, so that the Admiralty is very closely connected with the welfare of the people. My view is that the Municipality should be composed of representatives selected by the people and of nominees from the Admiralty, and that then the Admiralty should contribute thereby towards the upkeep of things generally, and in that way our drainage, water supply, and lighting might be amalgamated. We have at present the Navy constructing drains in the town lying side by side with our drains. They have also their water pipes running through the streets side by side with ours in the same way. Of course, this is a matter which I think ought to be altered, and which I think could be arranged.

5437. To go back to water; from a common sense and practical point of view, in your opinion there should be only one common supply quite irrespective of the local management of your town, and that one supply should be under one management?—Yes.

5438. And which in your opinion would be the better scheme; the increasing of the capacity of the catchment area of the Admiralty reservoir, or the going further afield to the spring of that farm at Noord Hoek ten miles off?—Going further afield to the farm undoubtedly.

5439. And lead the water into the Admiralty reservoir?—Yes.

5440. Have any negotiations ever taken place between the two with a view of obtaining one common water supply?—No.

5441. Have you any reason for believing that if negotiations were commenced they might be successful?—Well, if you are going to commence with the one you should commence with all. It is not only the question of water, but everything else

connected with the Municipal Government should be shared between the Admiralty and the civil population of the town.

5442. But even if the Admiralty and the residents do not fall in with the idea of a combined Municipal governing body, still the water supply might be one common concern?—Yes, that could be arranged as a distinct item.

5443. So that under any circumstances you consider that that should be undertaken as a joint scheme?—Yes.

5444. And that would have to be controlled by such a joint Municipal body as you mention?—Yes, we have an arrangement at the present time. When the Municipality was first incorporated, we had to go to the Admiralty—for the time being—to arrange about the water which was supplied by the spring on the side of the hill, and a division was come to; the Admiralty getting one-half and we getting the other.

5445. But as a matter of fact, in your experience, there has been a certain amount of difficulty in dividing this water according to your separate rights?—There was at first, but it has been permanently arranged now; there is a division put so that we get half of it and they get the other half, and there is no difficulty whatever now.

5446. Supposing that your ideal of the establishment of a combined local authority did not come off, but the combined water scheme was carried out, how would you arrange for the control and the management of that scheme? Should it be dealt with by the Admiralty or by the Municipality or by combined representatives?—I should think it could be managed by the Admiralty and Municipality combined. An agreement could be drawn up stating the rights and control that each would have over it. In the same way almost as we have it now. There are two keys, and either the Naval Engineer or the Town Engineer could go and examine the pipes.

5447. In view of Simon's Bay being a Naval base, don't you think that the Admiralty would object to such an important matter as the water supply to the vessels being taken out of their hands or in any way being placed under dual control?—I daresay they would.

5448. Supposing that an objection to that effect were raised by the Admiralty, and that they refused to combine with you in any scheme, preferring to have the entire control, would you as a Municipality then still be in favour of contributing towards the scheme managed by the Admiralty, and being supplied by the Admiralty? Do you follow me? I mean the Admiralty may say, "We will not contribute to any water supply which is not entirely under our control for reasons of defence"? Then would the Municipality be still prepared to join in this scheme recognising that they had no control over its administration afterwards?—No, I say the Municipality cannot.

5449. You, as a private resident, would you be prepared to advise their joining in?—Not without control.

5450. So that it is quite possible that the Admiralty may step in and prevent any joint scheme?—I don't think there is any probability that the Admiralty would not join in having a combined supply of water. I see no difficulties whatever in the way of it. We could have a signed agreement in which it could be stipulated that in times of stress, such as during war time, the whole of the supply should first go to His Majesty's ships. The inhabitants of Simonstown are not going to stand in the way of supplying ships for what is required under those circumstances.

5451. That is that His Majesty's ships should have the first call on the supply?—Yes.

5452. In the statement furnished by the Municipal Council of Simonstown, to the 31st December, 1901, there is put down under the heading of "Waterworks" a sum of £15,000 as an amount to be expended on the building of waterworks. What portion remains uncompleted?—None whatever, it is all completed.

5453. *Chairman.*] You must understand that we are putting questions to you as an ordinary resident and that there are many points that we will have to examine the Delegates of the Simonstown Council upon when they come, and that is why we don't now touch on matters which they could bring before us officially?—I quite appreciate that, Mr. Chairman.

5454. *Mr. Stewart.*] How do you get at the total quantity of water which you require at Simonstown?—Well, we get at that in the first place by the arrangement that each house requires at least 100 gallons per day. Then there are the trade places and the Railway Station; they require so many hundred gallons, for which they make applications; these people have tanks at their places of operation where they store their water, and they know exactly what their requirements are, so that taking the basis of supply to the ordinary inhabitants and the quantity applied for by these other parties we know exactly our position in regard to the levying of the rate and the supply required.

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5455. It is practically an estimate ?—Yes.

5456. With regard to the source which you mention at Noord Hoek, the gauging you have given is a gauging which was taken in the dry season, I understand ?—That is so.

5457. Could you give us the exact date ?—It was about the end of February, but the engineer could give you the exact date.

5458. We could get the exact date ?—Yes, from the engineer.

5459. You are aware, of course, that there are several smaller streams which flow down this Noord Hoek. Now is that gauging which you have supplied of the combined streams or of one ?—Only of one.

5460. So that if you collect the water from the other streams you will probably get more ?—Yes.

5461. In fact, it is within your knowledge that in the winter time there is a very large flow of water down these streams ?—An immense flow.

5462. And if you could store it there is no question whatever that you would get as large a supply as you would ever be likely to want ?—Quite so.

5463. Do you know the details of the Kalk Bay scheme as regards the storage question ?—No, I don't know the details, but of course they have a dam on the top of Tokai Mountain, but I could not tell you the capacity of it.

5464. Have they ever supplied you with any information with a view to your becoming a customer or a partner in that scheme ?—No.

5465. But you do know that there is a large amount of water ?—Yes.

5466. You don't know that the dam as designed is intended to hold 140,000,000 gallons ultimately ?—I know it was the idea that it should be built up and raised.

5467. Do you know whether the estimated cost of increasing this dam has ever been published ?—Not to my knowledge.

5468. But so far as Simonstown is concerned, there is no difficulty whatever as regards getting a water supply ?—No, it is only a matter of storage for the purchase of these springs to which I have referred.

5469. There is plenty of water available ?—In the winter time, yes.

5470. But you must store it ?—Yes.

5471. And the question is now, as far as Simonstown is concerned, the cost of the storage ?—Quite so.

5472. And whether you could afford to incur the cost at present with the yield of the revenue that you would get in view of other developments ?—The cost of the storage would make the price of the supply enormous.

5473. While your supply is small ?—Yes.

5474. *Mr. Lawrence.*] Does your Municipality rate the Naval property for Municipal purposes ?—No. Some years ago when I was Mayor of the town we approached the Colonial Government to intercede for us with the Imperial Government in order to get a contribution towards the rates. The Imperial Government replied that they would be prepared to give £350 provided that the Colonial Government would also give £350, and the Colonial Government agreed to that, so that we are now getting £700 a year in lieu of rates.

5475. Is there any friction between the Council and the Naval authorities of Simonstown ?—No; they work very well together.

5476. You suggest that for water and drainage the Naval people and the Municipality should combine ?—I suggest that the Town Council should be reconstructed, and that there should be nominees on the Council from the Admiralty, either Government officials or other private individuals nominated by them, because I hold that if the Admiralty are going to contribute towards the maintenance of the Municipality that they ought to have a voice in the expenditure of the money, and there is no doubt that the time is coming when we will require a larger contribution from them. Only recently they expropriated a large piece of private property, and by that alone the Municipality are losing rates of from £150 to £200 a year.

5477. Are there houses on it ?—Yes.

5478. What has been done with the houses ?—They are occupied by the officials of the Admiralty.

5479. Do the interests there clash very much between the Municipal and Naval affairs ?—No; our interests are identical, and that is why I wish the Admiralty could take a deeper interest in the affairs of the town than they are allowed at present.

5480. Do you think they would agree to combine ?—Yes, they would benefit, because they would get better sanitary arrangements, a better water supply, and all round they would be more comfortable. What we want to see is that the place is made habitable, and that all the requirements are attended to.

5481. With regard to the water supply, the distance from the end of the Kalk Bay main to Simonstown would not be very great ?—No, about six miles.

5482. That would be nearer to Simonstown than Noord Hoek?—Yes.

5483. That Noord Hoek scheme that you speak about: has not part of that water been taken out recently by Mr. de Villiers?—Very little; I don't think the scheme of Mr. de Villiers would interfere with ours at all.

5484. *Chairman.*] Could that Noord Hoek water be brought into your present reservoir?—Yes.

5485. And could that reservoir be enlarged so as to hold a greater supply?—No, because the ground on the one side belongs to the Navy, and on the other side it is private property.

5486. So that it is on Municipal ground?—Yes, but there is no room for expansion.

5487. And you cannot raise the wall?—I don't know. Mr. Stewart could tell you that.

5488. For how long has that reservoir been in existence?—About three years.

5489. And the Municipality built it?—Yes, this £700 which we got from the Colonial and the Imperial Government was consolidated, and we received £11,000 in a lump sum, and partly with that we built the reservoir which cost £13,500.

5490. For 3,028,000 gallons?—Yes.

5491. What is the nature of the reservoir?—It is built of cement concrete.

5492. On rock?—No, it has a clay bed.

5493. Has it stood well?—Very well, indeed.

5494. No leakage?—No.

5495. And how is the water led out?—By distributing pipes.

5496. No syphon?—No, there is one syphon lower down, but no syphon proper.

5497. But it cannot be enlarged so as to take the Noord Hoek water?—No.

5498. So that if you had to utilize the Noord Hoek scheme, you would have to build a new reservoir for the water?—Of course, if we want to store it we would have to build another reservoir, but the quantity which we can get from there would not render it necessary to have large storage.

5499. *Mr. Lawrence.*] Who was the engineer of the Simonstown Waterworks?—Mr. Stewart.

5500. *Mr. Stewart.*] As a matter of fact, the cost of that reservoir exceeded the estimate very considerably?—Yes, by about £3,000.

5501. It is a reservoir, I think, that the Council would not care to repeat?—No.

5502. As a matter of fact, it is more a service than a storage reservoir?—Yes.

5503. It would be compared with a service reservoir?—At the time when we built it, we thought that it would be sufficient for our requirements, but at the rate we have increased it has developed into a service reservoir rather than being a storage reservoir.

5504. *Dr. Gregory.*] Why would you not care to repeat it?—Because the cost of construction compared with the quantity of water conserved is too great.

5505. Who is responsible for the advice?—It was absolutely necessary, and it was our only source.

5506. Force of circumstances?—Yes.

5507. It was not bad advice?—No, not at all. We wanted the water and we had to do something.

5508. *Chairman.*] Looking at this and every related question from the point of view of amalgamation of two or more Municipalities, do you see any chance in this direction by assistance from Simonstown?—None whatever. The position of Simonstown is so unique that it would be impossible.

5509. *Mr. Lawrence.*] Not even with Kalk Bay?—No; you see again that our Imperial interests debar us from going in with Kalk Bay, and Kalk Bay would not come in either.

5510. *Chairman.*] Would it be of advantage to either of the places if you could combine?—Not at all.

5511. *Dr. Gregory.*] Geographically, Kalk Bay comes more into the Constantia area, and would more naturally join on to Wynberg?—Yes, there are physical difficulties; we are divided from one another.

5512. *Chairman.*] Now, in the matter of the future of the Divisional Council of the Cape Division, I think you said that you were a member of that body?—Yes.

5513. And you were present at a special meeting of the Cape Divisional Council held on the 10th April last?—Yes.

5514. And you are aware that at that meeting a resolution was adopted which was moved by Mr. O'Reilly and seconded by yourself, as follows:—"That, in the opinion of this Council, the time has arrived for the abolition of the Divisional Council. And therefore this Council recommend to the Government that the scope of the Cape

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Peninsula Commission be extended to inquire into the advisability of the proposed County Council taking over the control of all the roads within the Cape Division; also having regard to the rapid expansion of buildings outside Municipal areas, that proper sanitary control be exercised over such rural areas" ?—Yes.

5515. Would you tell us shortly what were your reasons for concurring in a proposition for the abolition of the Divisional Council? With that resolution had you in view simply the case of the Cape Division or the Divisional Councils generally throughout the Colony?—My own opinion is that Divisional Councils throughout the Colony should be done away with. They have had their day, and they are really not of as much use now as they were before. Besides the railways of the country are extending so much throughout, that I see no reason why the Government should not maintain the roads. After all they are the highways of the country and they are necessary to feed the railways with the commerce of the country; and from this point of view also that the expenditure is enormous. If you take the *Gazette* of the 31st December last you will find a statement published by the Divisional Councils in the Colony giving their revenue and expenditure, and you will see from that that fully one-fifth of their revenue is appropriated in salaries, office rents, collecting charges, and so on. That I consider is enormously disproportionate from what it ought to be. Then, I think also that if you refer to the reports of Select Committees, you will find that these reports are generally in favour of doing away with the Divisional Councils.

5516. But now you must put something in their place?—Quite so; I recognize that, and with regard to the roads the Government could take over the roads. It does not require a body of twelve or fifteen men sitting around a table to look after the roads.

5517. Would not that apply to the Municipal Council in regard to Municipal government as well?—The Municipality has not simply to deal with one matter. They have sanitary matters, water supply, drainage, and so on, whereas the Divisional Council has only the construction of roads.

5518. Are they not concerned with health matters?—They are supposed to be, but they have no power. They cannot levy rates.

5519. Is that so; the Divisional Council can levy health rates?—Yes, but they have practically no machinery by which they could put their powers into operation.

5520. They can exercise their powers?—No, they cannot.

5521. The general opinion is that their powers are not large enough?—Take the Divisional Council of the Cape; outside the Municipal areas you would have them levying a rate on the whole of the inhabitants of the Cape Division who would have to pay for the advancement of part of the rural area, so that the thing would become impracticable.

5522. But you must have another body in their place; some kind of Board?—Yes, there is no doubt that if the Board or Council which the Resolution there indicated cannot be constructed, something will be necessary for dealing with the districts outside the Municipal areas, otherwise these districts would become a danger to the Municipalities.

5523. Well, I presume you will agree with me that it would not help us to bring a new Board into existence for the sake of getting the new name of County Council for Divisional Council?—No.

5524. Divisional Councils have been in existence some thirty years longer than County Councils, and should we not rather try to work the Divisional Councils up to a high standard?—If we cannot get Government to take over the roads, then of course I would advocate the enlargement of the scope of the Divisional Councils.

5525. You are aware that a Government department controlled the roads at one time?—Yes.

5526. And gave it up?—No, not entirely, some country roads are controlled by the Government now.

5527. You are thinking of inspections of main roads in the divisions?—Yes.

5528. Whatever Board is set up for local government, I presume you would be in favour of its being an elective board?—Yes.

5529. That brings us back practically to the Divisional Council?—Yes.

5530. So that the question really comes to be, what additional powers should be given to the Divisional Council, and what powers should be taken away from them?—I see it is suggested that with this amalgamation there should be a Board of Works for controlling drainage, water and light, and I think those three things could be done cheaper than the Municipalities could do them. I should therefore give the reconstructed Council the power to control these three things, and if the Government won't take over the roads then give them the roads as well; and, in addition to that, I would

give them sanitary matters outside of the Municipal area, and, of course, in that case they will have to have rating powers to rate in those areas.

5531. That would bring your extra Municipal ratepayers into conflict with your Municipal ratepayers proper, because according to that, householders and ratepayers outside your Municipality would elect members to the Board who are going to control water, drainage, and lighting and other things inside your Municipality?—Yes, that is so.

5532. What advantage would you gain?—There would be the disadvantage of this conflict between the rural and urban ratepayers, but at the same time we could give to them some sanitary control over those rural areas.

5533. That could be done by giving an increased power to the Divisional Council or reformed Divisional Council?—Then we would get back to the question of Municipal roads passing through Municipal areas.

5534. Well, we are coming to that; supposing that the resolution which was carried at the Conference of Municipal Delegates was given effect to?—I think it would work very unfairly towards the Municipalities. That resolution proposes to relieve the Divisional Council of the roads passing through Municipal areas, whilst at the same time the Municipalities would have to contribute towards the upkeep of roads outside their areas, and I maintain that that would be unfair.

5535. That is the principle that applies right through the whole Colony?—Why should the Municipalities take the burden of relieving the country neighbours?—The farmers have the benefit of passing over the roads through the Municipalities, and they don't contribute towards that; then why should the town support country roads?

5536 Of course there is believed to be a grievance in that connection, but do not you think it on the whole a fair thing that the wealthier part of the population of towns should assist the sparse population of the country in the maintenance of their roads? In other words, do you think it possible, with the sparse population we have in the country districts in this Colony, and even in the Cape Division, that their property could be so rated as to yield a revenue sufficient to maintain their roads as we should like to see them?—No; and that is why I say that the Government should take over the control and the management of these roads throughout the country.

5537. That is your firm opinion?—I think it is more just.

5538. Then the Government would have to levy a rate?—They would pay it out of general revenue; it is for the benefit of the whole country; we would all be contributing to the highways of the country then, which I consider the proper thing.

5539. But the Government could not do that without taxation?—Of course it would come out of the general taxation of the country.

5540. It is an old experience that forty or fifty years ago the outlying districts could get nothing done for their roads, and people in certain districts were constantly clamouring that their roads were not nearly good enough for their requirements; and it came to this that, in consequence of these constant complaints, the Legislature said, "Well, we must have a Council charged with the duties of maintaining these roads," and the Divisional Council was created, and the outside roads, apart from the question of incidence of the cost, have been fairly well maintained by the Divisional Council?—Yes, but at an enormous cost.

5541. Could not that be regulated in some way; then may I ask you whether, supposing in the first instance you agree that if the resolution of these delegates to maintain the main roads that pass through the Municipalities at the expense of the Municipalities were adopted, this would relieve the Municipalities from certain rates which the Divisional Council now impose?—Yes.

5542. And in the same way do you agree with one result of our enquiry in this matter, which shows that in some Municipalities the cost of maintaining the Divisional roads passing through them is greater than the revenue derived by the Divisional Council from the Municipalities on the Divisional Council valuation of the property?—Quite so: in Simonstown the cost of maintaining the Divisional road is about three times as much as the revenue derived from there.

5543. Simonstown should, therefore, be a matter of special arrangement?—That unfortunately they cannot arrive at.

5544. Did not the resolution suggest a special arrangement could there be made?—Yes, but it is a difficult matter.

5545. But surely you will not say that it passes the wit of man to meet the difficulty?—That is so.

5546. But the other Municipalities again complain that the amount of money taken from them is excessive compared with the length of the main road that has to be kept up?—Quite so.

5547. Well now, let us assume that the Municipalities are to be exempt from Divisional Council rating, that, with this understanding, the Municipali-

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ties are to maintain the main and divisional roads passing though their areas, and that they would thereby be relieved from the rating, to which they are subject in respect of such parts of the main and divisional roads. Now there only remains the question of the contribution towards the upkeep of the outside roads. Could not that be arranged for on a basis that only so much of the total upkeep of these extra Municipal roads will be levied within Municipalities? Suppose, for instance, that the Divisional Council made an estimate that the cost of keeping up the outside roads is £12,000 a year, could not we have a provision made that the total contribution of all the Municipalities in respect of that cost should not be more than, say, a half or a third of that amount, thereby necessitating that the property outside the Municipalities should pay a fair quota towards the upkeep of the roads?—Yes, I can see that of course; I would not like it to be understood, if we could not get Government to take over the Divisional Councils throughout the Colony, that I do not recognize that the towns should help the country population, because that I am distinctly in favour of. But, taking your figures of £12,000 and the fact that a portion is to be paid by the Municipalities, how are the Municipalities to arrive at what each should pay?

5548. We are coming to that presently. The Divisional Council at present assess in respect of the extra Municipal roads about £13,000, out of which the Municipalities contribute something like £10,000?—Yes.

5549. And the Divisional Council as matters stand have the right to come into the Municipality and value their property?—Yes.

5550. And they consequently determine the amount of taxes that the Municipality have to pay?—Yes.

5551. And they also value the properties outside the Municipality, and consequently determine the amount of taxation that those properties have to pay?—Yes.

5552. Now, then, could not, as far as the matter pertains to the Town Councils, an arrangement be arrived at by saying that in respect of the maintenance and upkeep of extra Municipal roads throughout the Division, the Municipalities shall be liable only for a certain amount? Would not the advantage of that be that the Divisional Council would be obliged to level up extra Municipal properties to a sufficient extent?—I don't think it is at all practicable, because the up-keep of these roads must be derived from the rates, and there could only be a uniform rate. You cannot have one rate for the country and a different rate for the towns.

5553. Well, don't you think that the Municipalities should simply make a contribution, and that the Divisional Council should send its precept to the Municipal Council for the amount, leaving the Municipal Council to raise the money as best they please?—On what basis is it to be made? The Divisional Council would say the value of Simonstown is so much and the value of Rondebosch is so much. I don't see how it is going to be done.

5554. The Legislature would make provision that they should be liable in respect of that contribution in proportion to their Municipal valuation?—Yes.

5555. Now, that plan would keep your Divisional Council out of your Municipalities altogether, except in the matter of the contribution required?—Yes.

5556. They will have nothing to do with the valuing of your property or with the rating of your property, and they would simply have to make up an estimate every year of the cost of constructing and maintaining extra Municipal roads, and say to the Municipalities, "Your contribution is so much, as based on your *pro rata* share of this expenditure according to your valuation"?—Yes, that seems feasible. I think it could be done.

5557. Would you be in favour of some such plan, or would you be in favour of this Board of Works being set up, and taking these things out of the hands of the Divisional Council and Municipalities?—I should be in favour of the Board of Works, because it would be cheaper for the ratepayers. One Board to control all these things—drainage, water supply, and so on—instead of so many having their own staff and expert advice.

5558. Would you start a Board of Works over and above the Municipalities, and doing these things over the Municipalities, instead of having the Municipalities amalgamated, as far as possible, and carrying on their own works?—In the way of drainage, I take it, say from Kenilworth as far as Woodstock or Mowbray, there should be one drainage scheme for all, and then the Board of Works would take charge of that scheme.

5559. Could it not be undertaken by a combined Municipality?—Oh, yes.

5560. Don't you think, as an old Municipal Councillor, that you would feel to some extent aggrieved if you found a Board put over you to meddle with your town drainage, town water, town rates, and so on; would you not rather see your town amalgamated with the others?—If we were to combine the Councils to construct

drainage I should be in favour of it. For a water supply I should think a Board would be better, and they could then supply the smaller Municipalities. For the drainage they could combine certain areas. For instance, Woodstock might be joined on to Cape Town and so on. But there is one thing that we want, and that is one immense water supply for the whole of the Cape Peninsula, for there is no doubt that the growth of the place will be very great in the next ten or fifteen years, and this Board could find the water, and they could supply the various Municipalities, charging them for the quantity supplied.

5561. Take the case of the city of Cape Town. Do you think that the ratepayers and the citizens generally would like a Board of Works to be put over their Town Council?—I don't think that the Board of Works would be placed over them in the question of the water supply. This Board would simply find the water and supply it, allowing the distribution to be made by the Town Council, for which the Town Council would levy a rate. I don't see how it could clash. It would supply the Municipalities with water, and that is all they want.

5562. Your view would be mainly then that the Board should find the water and construct the works and hand them over to the Municipalities?—Quite so.

5563. Would you do the same thing with drainage?—Yes, although there are more difficulties in regard to the drainage; there is a risk of clashing.

5564. Not a permanent Board, but a Board to construct these works and hand them over?—Yes.

5565. But until all the Municipalities are combined that Board would have to be a separate body, so that it would be made a lever in the direction of unification?—Quite so.

5566. Do you think it is possible at the present time to bring about an amalgamation of two or more of these Municipalities lying between Wynberg and Green Point?—I think so, certainly between Wynberg and Woodstock; there should be an amalgamation I should say from Kenilworth to Observatory Road; then Woodstock might join Cape Town and Sea Point.

5567. What do you think would be the distinct advantages of the unification of these Municipalities?—Less cost of officials, a smaller number of officers, and only one office at any rate for the maintenance.

5568. Greater strength to the bodies themselves?—Yes.

5569. More dignity perhaps?—Yes, perhaps that would be one result. It would be a distinct advantage in every way.

5570. General advantages which arise from union?—Quite so; we have too many local government bodies. We have got Municipality, Divisional Council, School Board, Harbour Board, and so on, and I say that they certainly might be controlled by one body. Having all these various bodies I think is the cause that there is such a lack of interest shown in the election of members of the local bodies. The ratepayers have so often to elect members, then for this and then for that body or board, that they really don't know where they are. What we want is consolidation.

5571. Have you ever considered the number of Councillors that are engaged in Municipal affairs between Wynberg and Green Point?—No, I have not done so, but I know from past experience that one is never finished with local affairs.

5572. Did it ever strike you that there are about one hundred Councillors engaged in that work?—I would not be surprised, and many no doubt would like to be relieved.

5573. *Dr. Gregory.*] You said that you thought that the Government should take over the roads and construct and maintain them. The difficulty in regard to that is the maintenance of the bye-ways, the highways are all right?—Yes.

5574. Do you think that the difficulty could be overcome by some such means as are now adopted by the Government in the management of matters, such as law matters, where they appoint a local resident to look after the smaller details of a particular district, viz., a Field-cornet. Supposing the Government looked after main roads and appointed a Field-cornet or some such gentleman in the area to inspect and look after bye-roads, and whose duty it would also be to bring to the notice of the Government what is required to be done?—Yes; but I must say Field-cornets have not been a success in this country, and I should prefer a Government official like a Magistrate.

5575. That the whole thing should be done by Government?—Yes.

5576. In the matter of public health, don't you think that that should be controlled on one basis by one controlling body in the Peninsula?—Well, that is a very broad question to ask, because it embraces sanitation, drains, sewers, and all that kind of thing.

5577. Quite so; and dealing with infectious diseases; and all ought to be done on one basis and worked on one definite line?—I cannot quite follow what you propose to do.

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5578. Well, in the present conditions, one Municipality might take elaborate care of its Public Health and carefully deal with any outbreak of infectious disease, and the neighbouring Municipality might be very lax, with the result that the greater part of the work undertaken by the vigilant Municipality is thrown away and wasted owing to the unsanitary conditions taking place just over its border, but if they were all controlled by one body, then all these difficulties would not occur. Again, suppose it should be undertaken by one body, it would not cost as much as when taken up separately?—I don't know whether it is possible to work it, because you must have your Municipal inspectors for the town and I don't see how you are going to have any governing body. Take the plague in Cape Town. The Government stepped in and took things out of the hands of the local authorities. It may be that the Government should not have done so. On the other hand it may be that the Town Council were too lax. I don't want to increase the number of bodies in the Municipalities.

5579. No, no; but you gave to the Board only three things to look after—water, sewage and drainage, and lighting. Does it not seem that it should also have general public health matters and roads and tramways, and so on?—Then you leave nothing to the Municipalities.

5580. For myself I would leave them nothing, but still that is not an argument that it could not be better done?—It is not an argument beyond taking everything away, and there is nothing left for them.

5581. But you think that could be better done?—The matters that I have mentioned are drainage works and water works, and they should be done very much better and cheaper by one Board; but I don't think that the Board could be expected to look after and have control over the details of the whole of the town. But I say that there should be a Board which should send round to the Municipalities, and country districts if necessary, inspectors to see whether the Municipalities are doing their duties.

5582. But tramways will eventually revert to the Local Authorities; surely that is a matter which should be under a General Board?—I don't think so.

5583. Would you have one portion of the tramway to be under Cape Town as the local authority, another portion under Claremont, another portion under Woodstock, and so on?—No, I don't think that the argument with regard to water supply applies at all to the tramways. You would have one body who would find the supply of water for distribution over the whole area, but I don't see why you want a Board to control the tramways.

5584. Not a Board to control the tramways when they revert to the Government? Oh, yes, in that case, of course That must come sooner or later, but you cannot do it so quickly. The people are too phlegmatic here. It must be done gradually.

5585. But it must come about?—Yes, it must evolve itself.

5586. But assistance could be given to evolution?—Of course you might have the idea before you and lead up to it gradually. The report of this Commission for instance may start the means to that end.

5587. The Board would be created with a view that it should eventually develop into one authority for managing all the local matters?—Yes.

5588. But you said just now that the water scheme when completed by the Board should be handed over to the Municipalities?—No, the Board would supply the water and charge the Municipalities merely with the distribution of it.

5589. The small Municipalities merely to distribute; and the Board that you speak of is something that is going to enlarge year by year until the whole Municipal work ultimately is absorbed by it, and therefore nothing once taken up by this Board should be handed over to the Municipal authorities again?—Yes, that is so.

5590. *Mr. Gurney.*] Why, if the public are too phlegmatic to go in for a big somewhat revolutionary change, should this Commission not regard it as within the bounds of possibility that such a change should be enforced?—To make the Government popular at any time, they should not go against the wishes or sentiments of the people.

5591. But are you not saying that they are only too phlegmatic to bring about the change, and not that they are so much opposed to it?—No, I say they would be opposed to a large Council if brought about suddenly; it must be done gradually.

5592. Should the gradual steps be rather in the direction of an amalgamation that gradually absorbs more and more Municipalities, or in the direction of only absorbing certain of the responsibilities of all Municipalities?—Yes, it would be gradually absorbing them. Suppose you have a radical change you will have men elected who know nothing about the local requirements, and then you will have the people dissatified with your local government, whereas if you bring it about gradually and took public opinion you would do it better.

5593. And that would be better than amalgamation of Municipalities, and absolutely combining them for all purposes: take Rondebosch and Mowbray, that could

be done as a preliminary step?—Yes, I would advocate that because I believe they are at present prepared and they feel the necessity, but you would not please Wynberg by taking it in, but in time it would come in.

5594. Would you consider that a more satisfactory way of proceeding rather than combining for certain purposes and not for all purposes, that is, bringing two Municipalities for instance into one Board for water and drainage and not for other things?—Because the necessity exists at the present time to have one large Board for drainage. The Municipalities have failed so far in having drainage schemes, because they have not rating powers enough to get the money, yet their interests with regard to drainage are identical.

5595. So that your recommendation would be amalgamation for all purposes of certain Municipalities, and placing certain large questions in the hands of a Board with a view to the ultimate amalgamation of all?—Yes.

5596. *Mr. De Villiers.*] If you hand over the roads to the Government in the Cape Division, I don't quite understand how you are going to pay for the rates?—Out of the general revenue of the Colony.

5597. *Mr. Stewart.*] You are acquainted with what has been done in the way of water supply for the Municipalities and the Peninsula?—Yes.

5598. And it has been within your knowledge that as regards the water supply it has been a race between adequate works and increased consumption?—Quite so.

5599. And increased consumption has been winning?—Yes.

5600. On that basis you advocate the making of a large Board with increased powers for obtaining money?—Quite so.

5601. And you are aware that the reason of some Municipalities not having been able to keep pace with the consumption of water has been that they have not been able in the first case to borrow sufficient money for construction purposes?—Yes.

5602. Well, you advocated in the event of a large scheme being adopted that very large provision should be made for the increase in the future?—Yes, decidedly.

5603. You would not design a scheme to meet the immediate requirements or the requirements in the immediate future only?—No; on the contrary, you would want a very large increase for the future, as our population will grow to a considerable extent.

5604. Would you advocate or recommend that when a large scheme has been brought in this scheme of yours should be abolished?—The present local scheme?

5605. Yes.—Yes, I would advise one large scheme for the whole of the Cape Peninsula.

5606. But would you advocate that the taking of water from the existing source should be stopped?—That is really a matter for expert advice. If you have one very large supply it would not be necessary then to take water from these sources.

5607. You will admit that for strategic reasons it is desirable to keep a water supply in the immediate neighbourhood of Cape Town?—Yes.

5608. Assuming that we have to go a considerable distance from Cape Town for a large supply, do you think it desirable to have more than one pipe line?—From one supply?

5609. Or from two supplies; do you recommend that we should have two pipe lines?—If you could get enough water from one supply then I would recommend that you have one pipe line.

5610. You would prefer to have one large supply to having two smaller supplies? Yes.

5611. One of the reasons would be that one line would be more easily guarded?—Yes.

5612. I don't know whether you are aware that in the large scheme that they are proposing for bringing water to London from Wales, that has been borne in mind?—I am not aware of that. In connection with the borrowing powers, I should say that the Local Municipalities should have much larger powers than they possess at present, and that money borrowed and spent on the reproductive works should not be reckoned in their borrowing powers on the basis of ten times their annual revenue. For instance, a Municipality might be in a position to go in for a water supply which would bring in a revenue that would cover the interest on the outlay and pay for working expenses, and there would be no further tax upon the residents, but because that is taken in their borrowing powers, which are limited, they are debarred from carrying out such works.

5612(a). *Chairman.*] Are not these powers different under the Public Health Act?—No, I don't think so.

5613. To what extent would you limit the borrowing powers of a Municipality?—I should say that they should go in for self-supporting works, and that that should be deducted from their borrowing powers; besides the water supply, the Municipality

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might go in for building artizans' dwellings which would bring in a sufficient rental to pay expenses, and the interest and go towards redeeming the debt, and that should not be an item against the borrowing powers.

5614. But does it, as a matter of fact? Supposing that Municipality "A" has already borrowed to the fullest extent under the Act of 1882, there is nothing to prevent them raising money again for waterworks?—Oh, yes; they cannot go beyond the limit of ten times the annual revenue.

5615. But it has been held that water revenue is not part of that revenue?—No, I hold that all revenue should be included, and that they cannot go beyond the ten times annual revenue.

5616. As a matter of fact you hold that the clause in the Municipal Act prevents them doing that?—Undoubtedly. Instance the case I quoted with regard to the artizans' dwellings.

5617. But does that not arise from the fact that the Municipal Act does not empower them to raise money for that particular purpose?—No.

5618. There are certain purposes set down in the Act for which money may be raised. Water is amongst them, but artizans' cottages is not stipulated?—I merely gave that as an instance of a reproductive work that should not be included against the borrowing powers.

5619. They would have to go to Parliament?—That means that the Act is defective.

5620. *Mr. Gurney.*] But is it not the case that it is due to the fact that such a purpose of spending money is not mentioned in the Act? Is it not the fact that the erection of artizans' buildings is not mentioned?—Well, I say it is not mentioned in the Act, but the principle is the same.

5621. You argue generally?—Yes.

5622. *Dr. Gregory.*] Is it not rather due to a defect in the Bill, which says that you shall have borrowing powers on the same basis as the Municipal Act, really intending those borrowing powers to be additional, whereas they are only part?—Under the Public Health Act and Municipal Act of 1898 they are all defective.

5623. Don't you think that the borrowing powers of the Municipality should be unlimited, provided they get the sanction of the ratepayers and the Government?—Yes, that would be a sufficient check upon the debt.

5623 (a) The lenders would look after the security?—Yes.

5624. *Mr. Gurney.*] Do I understand you to say that you regard the water rate as not included in the revenues of the Council for borrowing purposes?—No, water is included as part of the revenue.

5625. *Chairman.*] There seems to be a difference of opinion?—Water revenue is included.

5626. *Mr. Gurney.*] Revenue from all sources?—Yes.

5627. *Dr. Gregory.*] Is it not within your experience that local authorities have put items such as receipts from sale of land into their revenues that properly should not go in, in order to increase their borrowing powers?—I don't see how they could do it with honest book keeping.

5628. *Mr. Stewart.*] The provisions of the Act of 1882 may be sufficient for small up-country towns, but it is not adequate for progressive towns?—No; a great many of the Municipal Acts could be consolidated into one. And we want several changes in that direction both in regard to construction of roads and water. For instance, when a new area is sold I maintain that not a single house should be put up until the roads are made and the drains are laid, and there should be a clause in the Act that proprietors should be compelled to pay towards the construction of these drains.

5629. *Chairman.*] In respect of the borrowing powers of Municipalities, you hold that where the Act provides that they could raise a loan ten times the amount of your last annual revenue, every source of revenue is included?—Yes; for instance, if you go to the bank to get an overdraft the bank will ask for your last statement, and they will see that every item is included in the revenue.

The Honourable Alexander Wilmot, M.L.C., examined.

Hon. *Alex. Wilmot.*

5630. *Chairman.*] You are a member of the Legislative Council?—Yes.

5631. And you have been a long time resident in the Colony?—Yes

5632. I understand that you have made a special study of the suitability of the Divisional Councils for their function in the Colony generally?—Yes, I have.

5633. Will you kindly favour the Commission with your views, particularly with regard to the Divisional Council of the Cape, to which the scope of this Commission is limited? However interesting it may be to enter into the wider question, we should

like to confine ourselves as much as possible to the Divisional Council of the Cape?—Well, I am strongly of opinion that there is a proved necessity that the Government should take over all the main roads of the Colony, and I would refer you in that behalf to a report of a Select Committee of the Legislative Council, of which I think I was the Chairman. We took a good deal of important evidence on the same subject I do not wish to trouble you with all the arguments there brought forward, but they were rather of a cogent character, and it is proved that main roads are neglected by the Divisional Council, the people taking no interest in their maintenance. I think it is simply preposterous that main roads should be in the hands of the Divisional Council.

5634. You are aware of the very great difference in respect of these matters in the Cape Division?—Yes.

5635. For instance, a main road, practically a street, stretches from Green Point to Wynberg?—Yes.

5636. It is practically a street of one town?—Yes.

5637. Then again you have the Divisional Council consisting of fourteen members, twelve of whom are elected by and live within the Municipalities?—Yes.

5638. Then you have the bulk of the Divisional Council revenue derived from these Municipal areas?—Yes.

5639. I suppose about nine-tenths of it?—Yes, you have a complicated subject to consider.

5640. You have about one-quarter of the total revenue of the Council expended on the outside Municipal road; but only something like one-twentieth raised from rates in the extra Municipal districts?—Quite so.

5641. So that you have here a set of circumstances that are unique so far as the Colony is concerned?—Undoubtedly. The best thing would be to take away the roads from the Divisional Councils throughout the country, but that would be a difficult matter to get through Parliament.

5642. Take the road or street from Cape Town to Wynberg, what advantage would there be to put that under the direction of the Government?—I don't say that the Government should make the roads that pass through the Municipalities, although I must admit they are not what one would desire them to be, but that is a matter for the Government to arrange with the Municipalities.

5643 Well now, supposing, as you say, that the Divisional Councils throughout the Colony were to be put into the melting pot, what do you propose to set up for Local Government in their stead?—I don't say another Local Government outside the Municipal areas; there it will be under the general Government.

5644. Health matters?—General Government, I suppose.

5645. Do you think that would answer in this country?—I am laying stress on taking the main roads from the Divisional Council; they have not proved themselves able to manage the roads.

5646. Then you would still retain the Divisional Councils?—Yes, they are a jobbing lot, perhaps, but they are better than nothing.

5647. For what purposes would you retain them?—For Divisional roads.

5648. Can you give us any reason or any explanation of why you consider the Divisional Council such a poor lot?—Well, if you take the Auditor-General's report and read the evidence he gave before the Select Committee of the Legislative Council, you will be able to see the reasons. If I were allowed I could tell you a good many strange things.

5649. Comparisons are invidious, but you would not include the Cape Divisional Council in that category of being a poor lot. They have done their work fairly well?—Yes, I am opposed to the system, not the men.

5650. Are you opposed to Local Government of any kind?—It is a failure in this country and, I say, take the main roads out of the hands of the Divisional Council. I say no more than that.

5651. Then I understand you mean that with that exception you would continue the functions of the Divisional Council very much as they are?—Oh, yes.

5652. Have you any suggestions to throw out with special reference as to how the constitution of the Divisional Council might be mended?—Take main roads from them; that is all.

5653. That would not affect the constitution?—I cannot give any suggestion. I am not sufficiently cognisant of it.

5654. Do you think it is fair that the Municipalities in the Cape Division should pay anything towards the upkeep of the outside roads?—Oh yes, I think it is fair.

5655. Well, if that is fair, do you see any disability affecting Municipal Councils in the method of raising that contribution at present; that is to say, do you think it fair

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that the Divisional Council should have the rating of the Municipal properties and assess the rate thereon?—No, there I think a new statute would make a useful regulation.

5656. In what direction?—In some such direction as the house tax. If a person does not pay on a certain date, then charge interest at the rate of ten per cent That interest would cover the expenses of collection, which should not fall on the taxpayer but upon the recalcitrant person who does not pay in time.

5657. I am speaking more of the method by which the Divisional Council is to get its revenue inside Municipalities?—I should think by having some arbitration system. A new statute would be required for that.

5658. Would you then be in favour of the Municipality making its contribution out of revenue in bulk?—Yes.

5659. And that the required sum should be distributed amongst the several Municipalities of the Cape Division in due proportion to the Municipal valuation?—No doubt; and I would like to say that there should be only one valuation and not two. It is a very expensive system.

5660. Do away with the Divisional Council valuation within Municipalities?—Yes.

5661. With reference to the constitution of the Divisional Councils themselves, could you make any suggestion as to the method by which these Divisional Councils should be elected?—No, I am not sufficiently acquainted with the matter.

5662. Do you think it is a good thing for such bodies to have an official chairman?—No, I think there should be an elective chairman.

5663. Do you think that it is possible or probable that the fact that all Divisional Councils, including the Divisional Council of the Cape, have an official chairman, accounts for some of the defects they show?—It is possible that it may be so.

5664. Looking at human nature generally, don't you think that a person becomes a member of such a body, looking at it from the point of view of the prestige of and position given him before his fellow men?—Of course, it is partly so.

5665. It is always a point with a townsman when he becomes a Councillor to look forward to becoming Mayor?—Yes; and the Civil Commissioner, who is the Chairman of the Divisional Council, goes along quietly, being paid his salary, and often doing his duty in a sort of perfunctory manner.

5666. This then is one direction in which the constitution might be amended?—Yes.

5667. These bodies would be better if they had an elective head, who would be as it were the head of the district outside the official sphere?—Yes.

5668. Quite an analogous position to that of the Mayor in the town?—Exactly.

5669. *Mr. Gurney.*] You are aware that very many of those irregularities among Divisional Councils discovered by the Auditor-General from time to time, to which you referred just now, the Civil Commissioner forms a very important element in ultimately tracing these matters to light?—As Magistrate do you mean?

5670. As Chairman, and serving as the connecting link between the Government and the Divisional Council?—An elective chairman could do the same.

5671. But one of the difficulties in the country has been, as you are aware, and which is referred to in the evidence of this Committee of 1898, that in the Divisional Council in some places there are officials who are all more or less related?—Yes; unfortunately that is so.

5672. And the Civil Commissioner is put in as chairman as a man who is independent of the Council?—It is very damnatory to the institution, I must admit.

5673. Do you then think it is desirable to take him away?—Well, I am strongly in favour of having a chairman who is not an official.

5674. You will acknowledge that there are arguments against it?—Oh yes, and powerful arguments against it.

5675. Well now, in the matter to which you referred, the Auditor-General's report showed that the cost of administration was an average of about 22 per cent. of the expenditure on roads, and you made indirect reference to that, but of course you are aware that it does not bear any such proportion in the Cape Division?—I did not know, but I am glad to hear it.

5676. So that when you are speaking of Divisional Councils generally, I think you will admit that the Cape Divisional Council does not deserve to be labelled with that general language that one would apply to the Councils out of the Cape Division?—Oh, yes; it is the fault of the system, not of the men.

5677. You were not referring to the Cape Division particularly, but your reference was general?—Yes.

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5678. At the same time you are aware that the Divisional Council of the Cape has practically signed its own death warrant. It has advocated its own abolition?—They are honest people. I heard something about it, though.

5679. *Mr. Lawrence.*] You said that the Municipal Councils are a poor lot?—Yes, that is my opinion to tell you the truth.

5680. Have you got anything that you could recommend as a substitute for them?—I should recommend the people to put in good men.

5681. You don't object to the system?—No.

5682. I thought you said just now that you did not object to the men, but the system?—No, it is the system of the Divisional Council. I say, put in good men, the same as you are doing now.

5683. With regard to the management of the local affairs in the Peninsula here have you formed any idea with regard to the amalgamation of the Municipalities?—I am not sufficiently cognisant of the subject.

5684. You would not hand the whole thing over to the Divisional Council?—Not to the Divisional Council as at present constituted; oh, no.

5685. Would you want a new body?—I am not sufficiently cognisant of the subject to say. You might take the opinion of the people.

5686. You mean of the eight or nine Municipalities?—The local people.

5687. Have you given any thought on the question of Local Self-Government?—Yes, I have.

5688. We want your views on that?—Well, I have expressed my views so far as Divisional Councils are concerned.

5689. Not now?—Oh, yes, in reply to the Chairman.

5690. *Mr. Gurney.*] You said that Local Government was not successful?—I say that the main roads should be taken out of the hands of the Divisional Councils; so far as Municipalities are concerned, I don't say that they should have no power at all, but that people have reason to complain.

5691. *Mr. Lawrence.*] Have you anything to say on the question of amalgamating larger interests?—Well, I am afraid of speaking unless I know more about the matter. I could not answer your question in a definite, clear way that would be satisfactory to you. I am not sufficiently acquainted with the subject.

5692. *Chairman.*] Mr. Gurney just now asked you a question with regard to the resolution passed by the Divisional Council in favour of its own abolition. Would you still be in favour of some kind of Council in its place?—I am in favour of a Council for divisional roads.

5693. In other words, you must have a Council?—Yes.

5694. And you must have an elective Council?—Oh, yes; leave them, but take away the main roads.

5695. And, if necessary, give them the powers to deal with other matters that it would be necessary to deal with, in the hope of better men coming forward to administer more competently?—It seems to be the wisest plan so far as I can see.

TUESDAY, 6TH MAY, 1902.

Present:

Hon. Sir Bisset Berry (*Chairman*).

Dr. A. J. Gregory.	Mr. W. E. Gurney.
Dr. A. J. Anderson.	Mr. T. Stewart.
Mr. Lawrence.	Mr. J. E. R. de Villiers.

Dr. William Walter Stoney examined.

Dr. *W. W. Stoney.* 6th May, 1902.

5696. *Chairman.*] Your name, please?—William Walter Stoney.

5697. You are a medical man and at present District Surgeon of Kimberley?—Yes.

5698. How long have you been in the Colony?—Six years.

5699. You had to do with Plague Administration in this neighbourhood?—Yes.

5700. How long were you engaged on that work?—Eight months.

5701. Engaged by the Colonial Government?—Yes.

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5702. Who issued orders or instructions to you in connection with that work?—I held the office of Assistant Director, and, of course, received instructions from the Director-in-Chief.

5703. Who was the Director-in-Chief?—Dr. Gregory.

5704. Generally you co-operated with Dr. Gregory in carrying out the duties in connection with the plague?—Yes.

5705. Now, in what area were your duties carried on—in Cape Town or in the suburbs?—They were chiefly connected with the Central Office, and in that way I had the supervision of the work, more particularly in Cape Town and the suburbs.

5706. Did you find any difficulty in the execution of your duties owing to the divided responsibilities of the several Municipalities?—There was a certain amount of difficulty, owing to the local authorities not readily falling into line with the suggestions that were made, also due to the difficulty of their own peculiar local conditions, and their wishing or preferring—probably rightly, to control their own affairs. In the earlier days of the plague the difficulties that arose were owing to the fact that the Municipalities were used to carrying out only their own particular work, having no efficient staff for a large work such as was suddenly thrown upon them, namely, the stamping out of plague.

5707. Attributable to the suddenness of a formidable invasion?—That is very probably the case, and also not having had to deal with such a serious disease before.

5708. As far as your experience went, the local bodies showed no neglect in these matters after their attention had been called to them?—Rather than say that they showed neglect, I would prefer to say that they showed an incapacity, owing to the inefficiency of their staff for coping quickly and to the extent that it was necessary for them to do.

5709. Then, when necessity arose, did they take steps to secure greater efficiency?—Yes, but those steps required time, and in coping with an infectious disease, time is everything.

5710. But in the ordinary run of Municipalities, would you find a staff or the necessary machinery for dealing with such a sudden invasion, say, of plague?—No; but there seemed no elasticity about things—no rapid way of increasing that staff so far as the government of the local bodies was concerned. Local conditions might have been against it partly at the time, so far as junior officials were concerned. It was rather difficult for them to get efficient men to carry out the work, probably owing to the state of the country at the time; men — really good men — could work elsewhere for the military. I am speaking more of the conditions at the time, and the expert men were not in the country and so could not be got hold of. I may say that I am speaking generally of local bodies.

5711. Then the Colonial Government stepped in?—Yes.

5712. And practically took the whole of plague administration out of the hands of Local Authorities?—Yes, they were able to deal with the thing with a firmer hand.

5713. Now in respect of Cape Town, was there any considerable ineptness shown by the Local Authorities?—I did not get here until the end of March, and within two days of my arrival the control was taken out of the hands of the Municipality, and any controversy there was had been going on previous to that time.

5714. Do you know whether, before the Colonial Government had stepped in, there had been any friction between the several local authorities themselves, such as Cape Town, Sea Point and Woodstock?—Do you mean the various local bodies themselves or between them and the Government?

5715. I mean inter-municipally?—Not that I know of.

5716. Was there any difficulty experienced in the matter of a site for a Plague Hospital?—I did not understand that there was a difficulty as regards the site of the Plague Hospital; that was decided on before I came down.

5717. It was no such difficulty that led to your appointment?—No.

5718. When you came to take up the duties, the Colonial Government had already taken over?—They were just about to take over, which was done within two days of my arrival.

5719. If there had been any friction between the local bodies it would have compelled the Government to step in?—That might be so.

5720. You did not meet with any serious friction after you took over these duties?—No, not between one local body and another.

5721. Have you had any experience in the Colony of difficulties in public health matters occurring between local bodies so close together as they are here?—The only experience of similarly-placed local bodies that I have had was during the time that I was Medical Officer of Health in Kimberley, when there were three bodies: The Town Council of Kimberley, the Town Council of Beaconsfield, and the Board of Health in Kimberley.

5722. Pretty much in one area?—Yes; of course, the powers of the Town Councils respectively were limited to their own areas, and the Board of Health had power over the whole area of the Kimberley district for certain purposes under the Health Act. That Board was formed in 1884 in order to carry out the provisions of the Public Health Act of 1883, more particularly to deal with small-pox in the large mining area over which the Local Authorities—the Municipalities—had not full power, inasmuch as rating powers in their behalf were not given them. Therefore a separate body was formed which had the rating power over the mines and also over the Municipal areas in order to suppress Infectious Diseases. Later on, when the Public Health Acts of the country were revised, and the Act of 1897 came into force, the power of the Local Board of Health was somewhat increased. They might have dealt with other matters besides Infectious Diseases to a certain extent, and although the Municipal Authorities were left with the power to carry out all their usual sanitary matters, still the Board of Health could, if the Municipal Authorities failed to do so, draw up regulations and carry out certain measures themselves.

5723. From your experience in this Colony, as an Officer of Health, what do you think would be the effect of having in this neighbourhood a number of local authorities? Do you think that health matters would be better attended to if two or three or more of these local authorities were combined?—Do you mean by that combining for all Municipal purposes, or do you mean rather with regard to health and sanitary matters?

5724. I will put it in this way: What would be the benefit likely to accrue in matters of health administration from a combination?—So far as the ordinary sanitary matters are concerned, probably local bodies would carry them out fairly efficiently, but from a larger point of view—general schemes for the suppression of infectious diseases, water supply, sewerage schemes, and so on—there could be little doubt that a united body would carry out the work much more efficiently and with much greater benefit to the community at large than would a number of subsidiary bodies. That is one's feeling in the matter. Of course, with regard to the other matters—sanitary and health matters merely—the local bodies would probably do very well, but from the point of view of large schemes—such as water, sewerage, and the dealing with infectious diseases, within a fairly circumscribed area, one governing body would cope better with the matter.

5725. Have you any knowledge of the working of our Divisional Councils in health matters?—I am afraid not, because the Divisional Council of Kimberley was practically supplanted by the Board of Health. That is the only Divisional Council that I came across, except, I might say, the Cape Divisional Council to a certain extent, and there practically Government took all the matters in connection with the plague out of their hands.

5726. Did no cases of plague occur in the Cape Division?—Oh yes, but Government carried it all out practically under one Central Administration, and it thus can be better carried out in a scattered area, when a number of men can be drafted off as needed. But that is the only experience I have had with the Divisional Councils in health matters.

5727. Perhaps it would be unsafe to reason from that—which is after all a special experience?—Yes, perhaps it would. Of course one can only give one's idea with regard to the combination of authorities carrying out the duties in regard to Health matters as compared to the carrying out of such duties by individual authorities.

5728. Have you any knowledge of the powers of the Divisional Council to deal with sanitary matters?—Do you mean simply for the area under its control?

5729. Yes, to deal with such matters, for instance, as insanitary dwellings.—At the present time, as a matter of fact, I think they do carry them out.

5730. You have not had practical experience of Divisional Councils in that respect?—No, I cannot say that I have. My experience has been that the matters were taken over by another body.

5731. *Dr. Gregory.*] At Kimberley, has the Board of Health a staff of its own?—A small staff.

5732. Could you tell us what it consists of?—Medical Officer of Health, a European Inspector, a Native Inspector, and then they have taken on another Inspector for temporary work—that is all.

5733. Practically it has no executive staff, it is more an inspecting staff?—Yes, and the Inspector carries out the disinfection.

5734. That only deals with infectious diseases, but many infectious diseases are dependent on sanitary matters for their spread, largely, are they not?—That is so, but then it is worked through the Local Councils who carry out the recommendation of the Medical Officer of Health.

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5735. In your case, when you were Medical Officer to the Kimberley Board of Health you were also Medical Officer to the Kimberley Municipality?—During a period of my stay there.

5736. There was no second Medical Officer of Health for Kimberley?—No.

5737. So that you have never had any opportunity for knowing the difficulties arising owing to dual control?—No, that is so.

5738. It is quite conceivable, is it not, that if Kimberley Municipality and the Beaconsfield Municipality have two separate Medical Officers, friction might arise?—That is possible.

5739. Your successor, Dr. Monk, has he been made Medical Officer of Kimberley?—Yes, I believe so.

5740. And that is the only way of working successfully the present arrangement from your experience?—Yes.

5741. As a matter of fact, do you not consider that the Kimberley Board of Health should have the sanitary control of the whole area under its administration rather than cutting up the work into two portions artificially?—Yes, I am bound to say it does seem as if it might be more efficiently carried out by one body rather than by dividing it partly, sanitary work being carried out by one body and work relating to infectious diseases carried out by another. That certainly seems to be far from the best and most efficient way of doing it. But I believe that in that particular area the sole difficulty really is the question of rating power, and it resolves after all into a matter of money.

5742. But the Kimberley Board of Health has power to rate?—Yes.

5743. But only in respect of infectious diseases?—That is so; they carry out really the provisions of the Act of 1883.

5744. And some of that money chiefly raised from rates is spent by the Board, and some of it is spent by the Council at the instigation of the Board?—Yes, the work of the Board carried out by the Councils in regard to purely sanitary matters relating to infectious diseases which the Board cannot do themselves. It is an arrangement they have come to rather than to have a dual staff.

5745. As a matter of fact some of the most important infectious diseases such as typhoid fever, diphtheria, infantile diarrhoea, and so on, which cause great mortality, are entirely dependent or almost entirely on insanitary conditions?—Yes.

5746. And therefore this seems an anomalous course in dealing with infectious diseases to give only a measure of power to one Local Authority and to place the remainder of that power in the hands of another Local Authority?—Yes, I think so; but that is not the best arrangement.

5747. But if you are to have central control, it should be complete central control in regard to all matters?—Yes, with that I quite agree.

5748. The necessity for the Board of Health in Kimberley was due, was it not, to the mining areas which are outside the jurisdiction of any local authorities?—That is from what I gather.

5749. And this Board has sufficient power to obtain a revenue from the mines by rating?—Yes.

5750. So that the genesis of this Board was not for the purpose of obtaining more efficient control, but really for the purpose of obtaining rates from the mining areas?—Of course you say "More efficient control," and I should like to say with regard to that that the Board was first formed in 1884.

5751. I am speaking of the genesis of the Board?—Yes, principally, and of course in that way it would have more efficient control over the purpose for which it was formed, viz., for preventing infectious diseases, particularly small-pox.

5752. Then in your opinion, in spite of being handicapped in not having sufficient power, it is still better, as far as it goes, to have the work done by this Board instead of by the local Municipalities?—Of course, the local conditions have changed so very much since 1884 up to the present time, that it would be rather difficult to say whether the work is being carried out in the same way now as in that time; but my own feeling is that it would be much better for infectious diseases and all sanitary matters to be carried out by one authority rather than having a sub-division of labour.

5753. But then as a matter of fact, it is better as it stands than if it were not there at all, that is what I mean?—Oh yes, undoubtedly.

5754. When you were up here in connection with the Plague Administration, Woodstock still carried out its own measures for some little time after your arrival?—Yes.

5755. And the fact that Woodstock did this caused serious difficulties in administration?—Yes, it certainly caused difficulties.

5756. An artificial barrier was placed at the Toll-gate where our administration practically stopped and Woodstock's began?—Yes, one case of disease might have been one hundred yards from another case, the two being under different authorities entirely.

5757. And the infection of a case in the one area might have been acquired from a case in the other area?—Yes.

5758. So that eventually we had to take over Woodstock in order to secure efficiency and combined action?—Yes.

5759. As a matter of fact, in your opinion, do you not think that where you have a number of small areas as those we have in the Cape Peninsula, it is both more expensive and less efficient to have each managed by its own independent authority?—With regard to the expense, I should think that the great probability is that it would be much greater. And I have not the slightest doubt whatever that a Central Board would do the work much more efficiently.

5760. As a matter of fact, to take one item alone—the establishment of Infectious Diseases Hospitals—it is impracticable, is it not, for each area to establish one?—It certainly is in a sense largely so, owing to the contiguity of the suburbs in the Cape Peninsula.

5761. So that they really would have to combine or have no Infectious Diseases Hospital at all?—I would not go so far as to say that.

5762. That would be the effect of it?—By combination they might work more efficiently than if they undertook it separately.

5763. It is within your knowledge that they have had to combine for a small-pox hospital—at Rentzkie's farm?—I believe so.

5764. And that in regard to other infectious diseases, Cape Town is the only area that has a general Infectious Diseases Hospital?—Yes, quite so.

5765. And in your opinion would it not be wise if there were a combined Infectious Diseases Hospital?—Without a doubt. You speak of the Cape Peninsula, of course

5766. Yes.—Undoubtedly.

5767. And without an Infectious Diseases Hospital, practically the provisions of the Health Act for preventing the spread of infectious diseases, is rendered nugatory—if they cannot isolate the cases?—Yes, it is largely so, but I should not say entirely, because there are many cases which could be treated in their own homes if the accommodation can be provided.

5768. In diseases like scarlatina, is it not necessary that the patient should be removed?—Yes, unless, as I say, proper provision can be made at home for the patient.

5769. And that is very seldom done?—No.

5770. *Dr. Anderson.*] You have given evidence with regard to the necessity of a combination for the purpose of providing an Infectious Diseases Hospital for a large number of authorities, would you not say that the same principle should apply to the provision for slaughter houses?—Undoubtedly; it would be a very good thing if one large abattoir could be established for the whole district.

5771. You consider that it would be of advantage if the animals which are slaughtered are slaughtered in public slaughter-houses, where they might be inspected?—Yes, decidedly.

5772. And it would be scarcely possible for each Municipality to work that within its own boundaries?—I do not know with the present suburban local authorities that it would be practicable for each individual one to have its own.

5773. You are in favour rather of provision for one combined slaughter-house?—Decidedly.

5774. Then there is another point with regard to the sanitary authorities, do you think that if one sanitary authority embraces a wide area, the Sanitary Inspectors are more likely to perform their duties with greater efficiency?—Yes, I think under one governing body these men would do their work better, as the local influence of small localities would not be exercised upon them.

5775. I did not quite gather from you about this difficulty in Woodstock?—For some time Woodstock carried out the work themselves.

5776. In spite of the advice from the Government officers at the time?—Yes.

5777. *Mr. Lawrence.*] Wynberg ran its own show when the plague was on?—Yes, but the work was afterwards all placed under the Government.

5778. With regard to the Kimberley Health Board, was it not established because there was a fear that the natives coming to work in the mines would bring in infectious diseases, such as small-pox?—I believe the Board was started, like the original Public Health Act passed in 1883, almost entirely to prevent small-pox, and, of course, it was feared that the natives working in the mines might be the cause of spreading the disease, and it was considered they should be protected by the mines.

5779. And that is why the mines are specially rated for health purposes?—Yes.

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5780. Have you any idea of the percentage of rates that the mines pay as compared to the town ?—As a matter of fact, the Board of Health had not raised more than half the amount that they were entitled to under the Act of 1884 during the time that I was Medical Officer of Health.

5781. As a matter of fact, the mines paid the whole of the rates?—Oh, for the particular purpose the mines had to pay rates up to one penny in the pound before the Local Authorities could be further taxed according to the Act of 1884; at the time I left Kimberley I think that they had then a rate on the mines of $\frac{5}{8}$ths of a penny, and therefore it was estimated with expenses going on, taking the average for the previous two years or so, that they would still rate the mines almost entirely for another two or three years.

5782. And so of course the Kimberley people would be delighted if the Board of Health took over the whole of the sanitation of the township ?—I should think so; but of course if the rate levied under the Act should not be sufficient for the purposes, then of course the inhabitants could be come down upon for the remainder.

5783. Yes, but the percentage that they would pay of the whole rate would be very small as compared with the amount paid by the mines ?—Yes.

5784. In fact, the mines would pay about ninety per cent. ?—I don't know what it would work out to.

5785. Was not the suppression of the plague in the Cape Peninsula rather an expensive matter ?—Yes.

5786. Can you give us any idea of the cost ?—I have heard that it was about half a million, but I should not like that to go forward as an authority from me, because I do not know that as a fact.

5787. Do you think that the Municipalities could have afforded an expenditure of such a large sum of money for the suppression of infecti us disease ?—No, I don't think they could.

5788. And so it was absolutely necessary for the Government to take over the management of the plague ?—Yes. Of course I don't know whether you are trying to get my opinion as to whether it would have been managed just as efficiently by each Board as by the Government. I don't know whether you mean that, but I may say that it is my opinion that it would have been too much for the individual Municipalities if they had had to spend their proportion upon it.

5789. Have you had any experience of County Councils at Home ?—No.

5790. You don't know anything about their working ?—No; they were only formed a very short time before I left Home.

William Edward Moore further examined.

Mr. *W. E. Moore.*

5791. *Mr. Lawrence.*] On the question of amalgamation of the Municipalities, Mr. Moore, we wish to have your view upon the matter ?—Yes.

5792. My question as regards the amalgamation of the Municipalities for the purpose of drainage, water supply, and lighting ?—Do you mean amalgamation of all the Municipalities extending from Sea Point as far as as Wynberg ?

5793. Yes; to deal with all matters, or as an alternative for a Board to deal with the questions of drainage, lighting and water supply ?—Yes. I see one gentleman, in giving his evidence, is of opinion that one Board should be formed, and then divide that into Committees, which, after all, would amount to the same thing as at present; that is to say to amalgamate all the Municipalities and then divide them into Committees for performing the same functions that these Municipalities are performing at present. Of course there are arguments in favour as well as arguments against such a proposition, and I think the arguments against it are the stronger. The arguments in favour would be these: By the establishment of one Board you would have one corporate body, and consequently you would not require such a large number of officials as are employed by the various Municipalities, and in that respect the work could be done more economically. But on the other hand the work could not be done as efficiently as by the various Municipalities, and I doubt very much whether it would be done more economically by such Board. The work in any one office would, of course, be increased by the combination of the Municipalities, and you would require a larger number of officials, although you would not require so many heads, Town Clerks, Engineers, &c., but as the work increased it would necessitate a larger number of officials, as the population increases and more houses are built; so that, after all, I think it will be found that there will be nothing saved by it. You would require a similar number of persons to carry out the work, and that is one reason why I think that an amalgamation of the Municipalities would

not be more successfully or economically managed. Then another argument is this: Of course, it is argued that you have a "London County Council," and I don't know quite all the circumstances in connection with that Council and its number of members; but we are placed in a very different position from what they are at Home, because there they have men of independent means and men of leisure to give their time and attention to the work which is to be done; but here you have very few of that class of men, and the great majority of those serving upon the different Councils are men engaged in business of their own, and this tends to show that if you were to have one large Council you would have more or less the same class of men in the amalgamated Council that you have now in the separated Councils Of course, it has often been remarked that there are men of a better standing than those that we have in the Council, who could come forward and give their services. But you can hardly blame them in not coming forward, bearing in mind that when a man enters into public life he is bound to be criticised. No man objects to a high class criticism, but the experience has been that men are attacked in a most scurrilous manner. They are accused of jobbery and ulterior motives. Men therefore know that if they come forward they will be subject to these attacks, and that is their reason for hesitating to do so. It may be said that a man should not be so very thin-skinned, but when charges of malpractices are made by persons who take care not to place themselves within the reach of the law, it is not to be wondered at that so many refuse to come forward. During the last year, two gentlemen availed themselves of the press to heap abuse in certain directions, and they were relegated to private study for twelve months. But such persons generally take care to avoid that. I think it is exceedingly cowardly when by anonymous contributions men who devote their time in the interests of the community are subject to such abuse. For that reason men abstain from entering our Council, who are really desirable men to be there. I have myself endeavoured to persuade men to come forward, but they object to be subjected to abuse, especially in view of the fact that they give their services gratuitously. As I am at present Mayor of Woodstock, I shall take Woodstock as an example: I was only elected last year, and I have been giving I suppose four days out of six to Municipal matters, and of course I render my services gratuitously, yet I am subjected to all kinds of abuse and condemned for matters which had taken place before my time, and for which I am brought up as the delinquent; so you see that is really the reason upon the whole why we cannot get better men to come forward. Therefore I say that upon the whole in forming a General Municipal Council you will not get a different class of man to what you have now got on the different Municipal Councils. Then I have another reason against amalgamation, and that is this: Each Municipal Council as now constituted looks upon the area under its control as calling for all its energies. And if you were to join them all together no individual councillor would have any particular interest in the whole area. They would look upon themselves as elected for the whole area, and would cease to take a special interest in work in their own locality. I think a reason in favour of the continuation of the present system. An experiment was made with the Liesbeck Municipality. It was found not to work, and so the different Municipalities were established.

5794. You say you are opposed to the amalgamation of all the Municipalities; would you be in favour of partial amalgamation, say from Wynberg to Mowbray, and then join Woodstock on to Cape Town and Sea Point?—I don't think it would work. It might be feasible if Woodstock and Mowbray were joined, being a smaller section, and the remainder of the suburbs joined on to Wynberg, thus forming two Municipalities. Something might be said in favour of that.

5795. You would not be in favour of joining Cape Town?—No, for the reasons I have stated on the previous occasion. It must be remembered that we have had all our work done during the twenty years we have been in existence on a 2d. rate. We have worked economically and have therefore never exceeded that rate, and the ratepayers would raise a very strong objection to paying double that rate. I think if you could consult the ratepayers of Woodstock you would find that the whole of them, or at least the vast majority of them, would be in favour of the retention of Woodstock as at present. It is only comparatively recently that Woodstock has extended to nearly double what it was before.

5796. Could you give us your view with regard to a Central or Metropolitan Board of Works dealing with matters such as water, drainage, sewerage and light?—Taking the question of water first, there is a strong argument in favour of that, I must confess, although, as a Councillor of Woodstock, I am strongly in favour of the Council controlling its own supply of water, because, if properly worked, it could be a source of profit, with the result that the Council would be able to carry on the

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remainder of its work by the assessment of a lower rate than they would otherwise be able to do.

5797. *Chairman.*] It all comes to the same thing?—Yes, it is about as broad as it is long. If there is a profit, then there is a lower rate; if there is no profit, then there is a higher rate. There are certain reasons in favour of the creation of a Central Board for the control of the water; that seemed to have influenced them in London where one could have supposed that the working of the water scheme was about the best that could have been adopted. Well Government have introduced a Bill into the House of Commons for the purpose of creating a Water Board and taking over from all the Companies their rights and vesting them into the one Board. The advantage here would be this: that if a Central Board were created, they could introduce a measure into Parliament for the expropriation of water rights throughout the Peninsula, and they would then be able, from the fact of it being a Central Board combining the whole thing for the purpose of carrying out their work, to do their work on better terms than the separate Municipalities could do. That is an argument in favour of a Central Board, and then another argument in its favour would be that a Central Board would not be influenced by such local jealousies as generally exist between Municipalities which has been in evidence in regard to the present water supply.

5798. *Mr. Laurence.*] You would have one authority for the water: now, what about the sewerage and drainage; would you combine for them or would you rather not?—I don't think it is desirable that you should have a Central Board for that purpose. It is very different from the water supply. The water is an asset and is quite separate.

5799. Does not the one run into the other?—Yes, but the water is an asset so long as you are disposing of it in the way of sale, but the moment that you run it into the drain it is an asset no longer, and it becomes a waste because then you get no return from it.

5800. You levy a rate for your drainage?—Oh, yes, that shews that it is not an asset inasmuch as it does not produce a return.

5801. But it produces a return?—In what way?

5802. You levy a rate, and get it out of the people?—But if the drainage produced a return you would not require that rate.

5803. But you levy a rate for the water?—No, you don't levy a rate; you sell the water. The one is an article from which you can derive a profit and the other is an article for which you have to pay. Indirectly of course it is a very great consideration, because the health of the inhabitants is the first matter to be considered, and they of course will benefit very largely by a proper system of drainage.

5804. Could you not do it better and cheaper by having one Central authority dealing with the whole question all through instead of each Municipality dealing with its own?—I don't think so. You mean one central authority placed under Government?

5805. No, some authority dealing with the drainage?—No; I think if the Municipalities have the control of the drainage and carry it out it would be better to leave it in the hands of the Council.

5806. And then with regard to the lighting?—The same would apply. Woodstock has made arrangements with the Gas Company, and as necessity arises we extend the number of lights; we go very carefully to work; whereas if you had a Central Board who were not responsible to the ratepayers in that respect, they would go recklessly to work.

5807. But the gas does not belong to the Municipality?—No; am I to understand that this Central Board should own the light supplied for instance by the Gas Company?

5808. Oh yes; expropriate the Gas Company?—Well, that of course is a matter open to argument. Something can be said for that, because if the Central Board has the control of the lighting, then at all events, if there were any profits, the profits gained could be applied by them to the Council and the Council would therefore derive a sort of revenue from it, so that in that case it would be of advantage to have a Central Board to deal with it.

5809. That is, you agree to have a Central Board for the lighting and the water, but not drainage?—Yes.

5810. How would you constitute this Board?—That is a very difficult matter to say, I must confess. I have been thinking the matter over a great deal. Perhaps the Chairman could tell us what the constitution is of the London Board?

5811. *Chairman.*] I was going to put some questions to you about that. On the question of amalgmation your objections range themselves under three heads: (1) objections as to rates, (2) as to efficient administration efficiently carried out, and (3) as to representation?—Yes.

5812. As I understand your difficulty under the heading "Rating," it arises from the fact that the several Municipalities have their various amounts of indebtedness, and you don't see why one Municipality should be responsible and be rated for the debts of another?—That is one reason.

5813. Is it not the fact that at the present time Municipalities do rate differently in different quarters?—Oh, yes.

5814. Now, if we had a combined Municipality here, what is to hinder us from having the incidence of the rate for the indebtedness of each Municipality remaining as it is, with a general rate added for general purposes? Suppose in this way that the Cape Town indebtedness requires a rate of 2d. in respect of its debt, could not that rate be continued on Cape Town property if Cape Town were combined with Woodstock?—Cape Town assesses a rate of 4d.

5815. Still, it is a cardinal feature in the scheme that the rates for indebtedness should remain on the property in the units as they at present exist. Take the case of many large Municipalities in other lands where we find special assessments for special areas within them in respect, for instance, of the loans raised for the betterment of the portion which pays the special assessment. Suppose we were to combine Woodstock with Cape Town, why cannot the debt incurred by Cape Town, in respect of its betterment, remain a charge upon the ratepayers in Cape Town?—You would require special legislation of a very unique character.

5816. Not more unique than what is a recognised system elsewhere?—Take, for instance, Cape Town with its heavy liability, the same principle there would apply in the following illustration: I carry on business with a certain amount of indebtedness; another person wishes to join me in partnership, but he has a very much larger indebtedness than I have. He certainly will not be a very desirable partner, and if we were to join and he could not pay that indebtedness, it would seriously hamper the joint business upon which we entered. And so with Cape Town; there is a heavy liability. I don't say that it is heavier than it ought to be; but there it is, and if you join the Municipalities then it becomes community of property. The principle is the same as when two parties marry; they become jointly liable.

5817. Such a community of property by marriage is rather a false analogy?—How so?

5818. Because there are Municipalities which have always been one, and yet, in one quarter of them, they have been differently rated than the other three-quarters?—That is a special matter.

5819. Well, that is the point; why cannot it be done here?—Under the provisions of the Municipal Act it is done in so far that for certain special work carried out in one part of the Municipality the Council could assess a special rate for the special work done there, but there is no analogy between the matter which you quote and the powers given there.

5820. Would not these objections be more forcibly urged against you on the part of Cape Town where the work is done, whereas in Woodstock it is not?—In what way?

5821. You have sewerage in Cape Town and a large water supply and various other things?—Yes.

5822. Better gutterings, pavements, are in existence in Cape Town?—Yes.

5823. Now, I cannot see how it is that the charge for debt in respect of this thing cannot remain a charge on Cape Town for whose benefit they have been constructed; while subsequent to combination, we levy on Woodstock property only a general rate for general purposes?—I cannot see what the benefit will be.

5824. We assume the benefit of union; I am dealing with the objection you raise to differential rating as an insuperable difficulty?—No, no; I say Legislation of an unique character.

5825. It is similar to what is in vogue in the United States, in England and on the Continent of Europe, where parts of Municipalities are specially assessed in respect of works done for what is called "betterment"?—There are circumstances there which govern the cases in those places and there are circumstances governing these things here, and the circumstances in those other countries are not applicable here. Of course one would require the full information before you in order to form an opinion

5826. Well, that is the principle which is laid down that the people in some part of a Municipality may have better conveniences than the people in other parts of the Municipality care to pay for?—Yes.

5827. With reference to the administration in the matter of the difficulty of getting good men, you say it is the criticism that they don't like to expose themselves to?—Not criticism, but abuse.

5828. Very well, abuse?—No right-thinking man would mind criticism of the right kind upon his public acts.

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5829. Would not the amalgamation help us in this respect by giving us a larger Council for the united and stronger Municipality able to employ men of a higher character, of greater efficiency and of proved experience, better Town Clerks, better City Treasurers, generally better men and more men, so that there would be taken out of the hands of the Councillors the direction of and dealing with a great many of these minor matters which are at present such a burden upon and a source of public distrust in the separate Councils? —It would, in reality, to a certain extent, in the same way as the Government Departments. It would be done by the Government clerks and not by a responsible head. The Council are of course responsible and they are supposed to control all the matters, but it must be remembered that if you form a large Municipality the work will be so much larger, and of course they would be almost entirely dependent upon their officials, although they would be the responsible body to see matters carried out. That is why many men are condemned because they enter into public life without considering these responsibilities. And I doubt whether you will get, as far as officials are concerned, better men than upon the whole you are getting now. Take for instance: Cape Town: Mr. Byworth was, I suppose, as efficient a man for the work to be carried on as you would find in any part of the United Kingdom. I don't wish to say anything about the efficiency of Mr. Finch who succeeded him, as the work seems to be carried out very well. Then with regard to the engineers, there are men of high standard and of very high professional attainments. Even at Woodstock I consider the town very fortunate in having the services of such a man as Mr. Menmuir.

5830. Perhaps he is deserving of a more elevated position than Woodstock affairs?—Well then, if you amalgamate Woodstock with Cape Town, will you oust the present holder of his office in order to put our Engineer into his place, or will you raise the present Engineer in Cape Town to be Engineer-in-chief and put our Engineer under him? If so, you must be prepared for larger salaries. Engineers in particular require high salaries.

5831. I think we must admit the general principle that a larger Council with larger revenues will be enabled to command the service of better men and more men to look after the details of every department instead of having so many things put into the hands of the Councillors?—Take for instance the various Councils that exists now; we have twelve at Woodstock, and I believe there are eighteen in Cape Town, making a total of thirty for the two places. Take all the others: now, is the amalgamated Council to consist of a number equal to the number of the Councillors on the existing Councils?

5832. We will come to that presently. First of all a question with regard to the administration; don't you think that you will get a more efficient administration from an amalgamated Council?—I don't know.

5833. Having special reference to the question of abuse or of criticism upon the Councillors, how are you to avoid that under present conditions in small Municipalities? —That is the difficulty, but there is a great tendency to amateurism.

5834. Would not the tendency to amateurism be counter-balanced if you had a staff of high class men in your service?—I think it has been tried.

5835. Is not that an accepted general principle?—I know that they have had some of the most able in Cape Town and yet there are continuous changes.

5836. Yes, because the men want to better themselves?—Yes.

5836 (a). Is there a tendency to amateurism in the Cape Town Council? —Not on the part of the officials, but of those who control them, and in that way the services of good men are lost.

5837. Then take the question of representation; what is to hinder us from having a combined Municipality with efficient representation from its several component parts? —What do you mean by efficient representation? Do you mean representation of localities to be by the ward system?

5838. Yes.—That can be done by the existing Municipalities. They had it originally in Cape Town and they changed it, and now there is a desire to return to the old system.

5839. Well now, if we may be permitted to say so, suppose Woodstock were a ward and Mowbray and Rondebosch were wards, could not they each of them send representatives to the combined Council?—What would be the benefit? If we are wards, then each Council would look after its ward.

5840 You raised the objection to amalgamation on the three points: rates, administration and difficulty of representation?—Yes.

5841. Now, I am taking you on your objection as to representation, and I want to see if it is possible to get over that in the way I suggest. Why cannot the present

Municipalities be united and elect representatives for their own particular areas to serve on the combined Council?—Oh, it can be done, but as to the advisability that is another question.

5842. The advisability is dealt with under the general question of amalgamation; you raised objections to amalgamating on the grounds that it would be impossible to rate differentially the units, impossible to administer and impossible to represent; and I want to know why these parts cannot be differentially rated, and at the same time administered and represented in the way I suggest?—Of course, it could be done, but I don't see what benefit is going to be gained by it, and if you are going to make a change it is because you are going to derive a benefit from that change. If you have a Central Board to which each of the Councils sends the same number of Councillors that they have now on the Council, making it one body, it becomes a question whether you have a better body to carry out the measure than you have at present.

5843. I don't propose to have a Council consisting of all the Councillors now in existence; have you ever given a thought to the number at present in office? There are about one hundred gentlemen, and it would never do to have a single Council consisting of one hundred men, but there is no reason why representation should not be effected on some suitable principle, having regard to the people and property of the united Municipalities?—Oh, that could be done.

5844. The point is, that you said it could not be done, and that it would not be efficient?—No, what I said was this: if you take the different Councils as they are represented at present and form them into one body, and even if you want to change that system and have a smaller body to control the whole, then you come to the question; how are you to gain your representation and what is the benefit to be gained by it? You will find that you have a small body to do the larger work of the larger body, and the result will be inefficiency in discharging the duties.

5845. Do you think it is necessary, speaking earnestly, that a hundred gentlemen like yourself should be engaged year in and year out in the Municipal Government of the Peninsula? Is this not altogether out of proportion and is it not a waste of strength? Should we not try to economise there?—It may result in economy, but it may be false economy, because, take Woodstock, we have our men trained in certain work, such as engineering, and others in building, and so on, and I think the administration is carried on more efficiently than it would be under a central body, as you suggest.

5846. But with regard to the representation, suppose that you have a body of thirty-six men, would you not be in a better position to select those thirty-six men, seeing that you would be able to pick them?—How would you have the representation?

5847. Well, that is another matter.—But still you cannot dissociate the one from the other; you may find that there are serious difficulties.

5848. In what way?—Well, take, for instance, Cape Town, there they have a population which is very large, and they may go in for putting representatives of a certain class—of the lower order—and the other parts would simply be swamped, Cape Town outvoting them.

5849. Very well, then, we come to the suburbs where we have the aristocracy, and they would return men of another character?—So you have the fact that it will be very mixed.

5850. Well, is not that the whole secret of success in Representative Government?—The point is to have poise and counterpoise. Take the City of Glasgow; it consists of close on 800,000 people, and they are governed by a Town Council of sixty men; so with Birmingham. And Glasgow and Birmingham are looked upon as most model Municipalities. Now here you have a population of about 150,000, and you have about one hundred men at the job; does it not seem to you that there is something wrong there?—No, I don't think so. The hundred men on the job are perhaps doing the work thoroughly well, whereas the sixty of the other Council that you quote have to leave it to their officials. I don't say of course that they do so, but that may be the case, and then you must remember that taken all round their system is a much better one than ours. They control the tramways, and consequently they levy a very small rate upon property owners. I think we can hardly apply the argument of what is done in Glasgow and other places to the Peninsula, because we are so differently situated.

5851. Would you rather see Woodstock plough its lonely furrow?—No, its own furrow.

5852. You have instanced the Water Board of London. Do you know what has happened there and what is the condition of things at present?—I know that they appointed a Select Committee of the House of Lords and of the House of Commons.

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5853. They have in London a County Council and they have some ten Water Companies, which supply water not only to London but to adjoining County Council areas. The difficulty arises that the Companies supply outside even of the area of the County Council of London and go into areas of other County Councils, and the County Council of London wants to take over the whole of this Water Administration, but the present Government says no; as the other County Councils will not agree, the water supply must be put under a Water Board elected by all the constituent authorities some forty in number?—Yes.

5854. But now you spoke about the constitution of this Water Board, which, as I say, is to be elected by about forty or fifty constituent authorities; if you wish a Board to be over you chosen by the various Municipalities, how are you going to get your better Board? Will the upper set be better than you have in the lower?—Do you wish me to answer that question?

5855. Yes; the question is how we are to secure a better class of men in the Upper Board than in the Lower Board?—I don't know what the proposed constitution of this Water Board in London is to be, whether they are to be elected by the various Municipalities or not. With regard to the various Municipalities here, if we have a representation of that kind, and also certain nominated members by the Government so as to make the Board a representative one and yet as distinct from the Municipalities in controlling the Water Supply, the only argument I take it in favour of such a Water Board would be they would be in a better position to raise money than otherwise could be done by each Council individually.

5856. *Dr. Gregory.*] You evidently advocate a splendid isolation for Woodstock?—No, no more than we are isolated at present. We stand upon our own feet and we desire to continue to do so, but we are not isolated.

5857. Your very great difficulty appears to be the difference in your rate; you stated on the last occasion when you were examined that whereas Mowbray had a rate of 4d. and a tenants' rate, and Cape Town had a rate of 4d., you in Woodstock never exceeded 2d., and that you have continued that for a number of years past?—Yes, twenty yeare.

5858. But now, is the rate everything?—It would not be everything, but it has great weight.

5859. Well now, you have your rate of 2d., what have you done with it? Have you any slop water removal system?—No, we don't find that necessary.

5860. Have you a drainage system?—No, but we are going in for one.

5861. But you have not got it yet with your rate of 2d.; have you a market?—We had one, but it has ceased to exist as we do not require it any more.

5862. Have you wash-houses?—No.

5863. Have you any Infectious Diseases Hospital?—No.

5864. Your Town Hall or Offices are really the smallest amongst the Municipalities of the Peninsula and you have not adequate Office accommodation?—I differ from you as regards our not having adequate accommodation. I would like to see larger Offices and more convenient Offices, but the work is carried on in the present Offices without the health of the Officials being affected in any way by it.

5865. Does it not strike you that, although you have got a lower rate at Woodstock, you are very much behind other Municipalities?—I don't think so. Woodstock has only existed for twenty years and Cape Town, I suppose, for nearly four hundred years, and I don't think it would be just to compare the two.

5866. You say you have not got a slop water removal system?—No.

5867. And you say you don't want one?—I don't say we don't want one, we have commenced it by laying down certain pipes which take the water down to the sea.

5868. But still for all practical purposes you have no slop water system?—No.

5869. And is it not a fact that your surface drains along your lower road are in a terrible condition from a sanitary point of view?—They are not in a condition that one would like to see them, but they are not in such a terrible condition. There are certain portions of Cape Town with which Woodstock would compare very favourably; if you go up Chiappini-street, or take District No. 6, then I say matters are not a whit better there than they are in that portion of Woodstock to which you have referred, and especially if you bear in mind that Woodstock has only been in existence for twenty years.

5870. You have a nightsoil removal?—Yes.

5871. What has that cost the inhabitants?—About £4,000 a year.

5872. What rate would that represent on your property?—I should think about one-fourth.

5873. Your rate of 2d. yields how much?—I think £16,000.

5874. It was £10,000 in 1901?—Yes, but I think it is £16,000 now.

5875. It would represent a rate of from ½d. to ¾d?—Not more than ½d., if it went as far as that.

5876. At any rate, that is a kind of rate which the people of Cape Town don't have to pay; it is all covered by their 4d. rate?—That goes towards part of the interest, but it does not go as part of their debt; they have got their debt and they are paying only the interest for the loan for the drainage system.

5877. *Chairman.*] The interest charged is part of the rate?—Oh yes, it is interest, and not capital.

5878. *Dr. Gregory.*] Don't you think it possible that in regard to the attitude which you take up on the question of the amalgamation that Cape Town might reasonably urge such an attitude with more force than Woodstock, because you will participate in their large markets, their Infectious Diseases Hospital, in their drainage scheme and their wash-houses and all these Municipal improvements which they have got and you have not?—Well, I don't think that Cape Town would object to amalgamate with Woodstock; I take it that they would agree to it at once, but Woodstock could only be benefited by the drainage system by being joined on to the Cape Town drainage, but all the other matters, such as their wash-houses and their markets, would not be of any use to Woodstock in the slightest degree. And the Infectious Diseases Hospital is only of very recent construction in Cape Town.

5879. Still, it is there and cost a good deal of money?—Yes.

5880. Is it not also a fact that you have been able to suffice with a rate of 2d. owing to two fortuitous matters: one that you have been able to sell an immense amount of sand, and the other that you have made a large sum of money out of the piece of ground which was the result of a speculation, and a portion of which has been expropriated for railway purposes?—It is an investment and not a speculation. Councillors are not allowed to speculate.

5881. And do you not think that there is not quite so much in that difference of rate which you at first sight would be inclined to put on it?—I think you will find that if the people found that they have to pay 4d. instead of 2d. there will be strong opposition, because there will be a great difference in paying a hundred per cent. more, and that is why I say it will weigh with Woodstock; they have gone on steadily, and in the first five years streets were constructed out of rates, and then we could not call upon owners of properties to contribute anything, now we can, and there is no doubt that Woodstock can do these things more economically than Cape Town. With their drainage scheme they have had to go through hard rock, whereas we have to go through clay, and the time it would take in days to construct a mile of work in Woodstock, it would take weeks to do the same in Cape Town.

5882. *Mr. Gurney.*] You will remember that in 1876 Parliament placed the matter of the assizing of weights and measures under the Municipalities?—Yes.

5883. The revenue derived from that would only be insignificant?—Yes.

5884. But the duty is most important?—Yes.

5885. In order to protect the inhabitants?—Yes.

5886. You will remember that the officer who made the investigation at Woodstock drew the attention of the Council to that matter?—I went through the whole of the report, but I have no recollection of that, but I have no doubt that it was done.

5887. Is it not within your recollection that he found then that the Sanitary Inspector was held responsible for the carrying out of the provisions of the Act, and that he had in his office only two weights, one of 4 lbs. and one of 25 lbs., which he used in the course of his ordinary business?—Yes.

5888. And those were the only weights he had, and he had no measures?—Yes.

5889. My object in referring to it is to show the neglect in this individual respect in a small Municipality, and that consequently the public were not properly protected?—As you are aware, the success of the working depends in a large measure upon your officials, and unless they have efficient persons working under them, these things will happen, but I must say that the whole of this system has been changed now and it is quite different. If the officer who made the investigation could find a little time to look us up he will be able to satisfy himself upon these points.

5890. I was referring to it here as illustrating that it is a duty that might be more neglected when it is placed in the hands of a number of small Municipalities than it would be if placed in the hands of a large one?—I don't think so. If you have about half a dozen competent men it is easier to control them than such a large staff.

5891. As a matter of fact, it was not so in Woodstock?—There is no rule without an exception.

5892. *Chairman.*] Do you know anything about the Melbourne Board of Works, charged with the duties of water supply and drainage?—No, I don't know that.

5893. There they have a Board of Works constituted very much in the same way as the proposed Water Board in London; they have a Metropolitan area with something

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like twenty-two separate Municipalities, and this Board of Works supplies the whole with water; but the surplus revenue goes into the consolidated revenue of the Colony. Now, how would you like a Board of Works here whose surplus revenue went into the exchequer of the Colony and not into the Municipal fund?—There would be a great objection to that.

5894. So there are important points to be considered in connection with Local Boards of Works?—Of course the great thing is that, take the progress of the age, we should like to take the best examples that exist elsewhere and make use of these so as to provide a better system than prevails at present; but you cannot improve upon that system by making such a radical change all at once. For instance in Australia men are paid £300 a year.

5895. *Mr. Lawrence.*] They don't get that here?—No.

5896. *Chairman.*] You mean members of the Legislature, I suppose?—Yes. I wish to add, Mr. Chairman, in connection with a matter which I referred to in my evidence on a previous occasion, and that is the auditing of the accounts. At a Conference of Mayors (I have been reminded by Mr. Behr) the question was mooted by the representatives for Woodstock, in which it was proposed that the accounts of Divisional Councils should be audited by Government Auditors, but it was not carried.

Messrs. Frederick Hermanus Schundorf Hugo (Mayor of Simonstown) and *William Smale Gillard* (Town Clerk of Simonstown) examined.

Messrs. *F. H. S. Hugo* and *W. S. Gillard.*

5897. *Chairman.*] Gentlemen, you have come as the Delegates from Simonstown to give evidence before this Commission on behalf of the Town Council of Simonstown?—(*Mr. Hugo*): I don't think I shall be able to give all the necessary information, but the Town Clerk will be able to supply particulars on such points as I am not able to furnish.

5898. How long have you been in Simontsown, Mr. Hugo?—Fifty-nine years. I was born there.

5899. It was a very small place when you saw it first?—Yes, very small indeed.

5900. And it has been growing?—Yes.

5901. And it is growing still?—Yes, more and more day by day.

5902. Simonstown occupies rather a peculiar place amongst the towns of the Peninsula?—Yes, it is peculiar because of its peculiar interests, and we have three elements there that we have to take care of.

5903. What are they?—First there is the Navy—the wall of South Africa—the second is the Army, and then we have a small Colonial people that you can put in a shell.

5904. I presume that although you have all these elements, you are, notwithstanding, a very happy family?—Sometimes we are happy, sometimes very unhappy; the people want us to do things that we are not able to do owing to want of funds.

5905. What is your population?—It will at present be a great man to tell you that because they are coming in by groups. The population five years ago was about three thousand and now they are day by day coming in.

5906. May we take it at about 3,500?—No, when you speak about Simonstown you must take in the outlying district, and at present the population would be about 4,000 people if you take in the Dock people too.

5907. Have you many coloured people?—Not Colonial coloured, I am glad to say, but we have many Kafirs there now.

5908. What are they doing there?—Working at the Docks.

5909. Have you a location for them?—Yes.

5910. And you house them there?—Yes, but it is no fixed location, although we have tried to turn it into one as far as possible.

5911. Do you get a revenue from that?—No, none.

5912. Can you give us the area of Simonstown?—It is rather difficult to say that.

5913. Have you any commonage in Simonstown?—We have no commonage because it has all been expropriated by the Army and the Navy.

5914. Then was there a commonage at one time?—Yes, and they have taken it away from us. The Government won't give it to us, but they give it to the Navy and the Army.

5915. What do they do with it?—They have a location in the one part and a Boer Camp in another part.

5916. Where does the ordinary inhabitant graze his stock?—He cannot graze at all, except those who have land outside, and then they have to take the animals by their tails to their own land and bring them back again to their stalls.

5917. Perhaps you, Mr. Gillard, can give us a few more particulars?—Yes.

5918. Could you tell us the number of houses?—About 450 houses and tenements.

5919. Have you any idea of the rate of increase in the number of houses during the last five years?—I should think it has increased by about one-third since.

5920. And that rate of increase will perhaps be maintained?—More so in the future.

5921. *Mr. Gurney.*] The accounts that you, Mr. Gillard, were good enough to render to the Commission were sent back to you for amendment in two respects?—I have not yet received the accounts back.

5922. Well, in speaking of them now I will refer to the abstract which has been prepared, showing the expenditure during the last five years at £31,560 as against receipts amounting to £30,086—almost equal; but the expenditure includes £16,490 as expenditure on the reservoir, and the receipts include £17,900 for the loan raised; it would seem, therefore, that your ordinary income from rates during the last five years is just about equal to your expenditure; is that so?—It is rather a difficult question to answer, but of course you include the loans in that revenue, I presume?

5923. You have included the loan on the one side and the loan expenditure on the other; the account includes everything?—Yes.

5924. And the two sides are just about equal?—Yes.

5925. And your ordinary expenditure for the five years has just been about the same as your receipts, is that not so?—Yes.

5926. £17,900 was raised under three loans, I think?—Yes.

5927. The first loan in 1896 of £11,000, and then one in 1898 of £2,500, and another in 1901 of £4,400?—Yes.

5928. Was that all spent on the reservoir?—All of the first two loans. The last loan of £4,400 is for certain public works, such as drainage, water, stables and so on.

5929. £2,296 has been so spent?—Yes.

5930. You have £2,103 still over?—Yes.

5931. Is that appropriated?—It is a temporary loan to general account.

5932. Yes, but is it planned out how you are going to spend it?—Oh, yes, of course when that return was made out on the 31st December, the contractor was still engaged upon some of the works, and his account was not due, since then it has been paid.

5933. The salaries at the Head Office have apparently crept up from £230 in 1897 to £805 in 1901?—Yes.

5934. How would you explain that increase?—Extra officials and increase of salary. At first there were only two officials, and now there are five.

5935. Has the work of the office so much increased?—Yes, very considerably; in 1897 we had no Engineer, now we have. There were only at that time myself and the Water Superintendent, and since then the Sanitary Inspector and an Engineer have been added.

5936. And a Health Officer?—Yes, and an Assistant to the Municipal Clerk.

5937. It really does not represent so much an increase to a particular officer's salary as the larger number of officers taken on?—That is so.

5938. Have you any loan in contemplation other than those which I have mentioned?—The matter has not been before the Council officially to do so, but there is a need for a loan. We have completed certain works now and spent money out of general account which will have to go to a loan account later on. We have to do kerbing and guttering and sidewalks and construct the High Level Road, and then we have laid water pipes for about £600 which we hope will be included in the same loan.

5939. And to complete your present waterworks, you contemplate spending another £900 or £1,000?—Yes, a lot of that has already been spent since the date to which that return refers.

5940. *Chairman.*] On the question of your water supply, Mr. Hugo, you have at present a small reservoir—a service reservoir?—Yes.

5941. How much does your service reservoir hold?—3,000,000 gallons. And the dam receives a lot of water which is constantly passing through it to the reservoir.

5942. Where does the water come from to that dam?—From the Kloof, where the Admiralty get their water.

5943. And you get the overflow?—Not exactly the overflow, because in winter the stream is very strong, and the water comes from another direction as well.

5944. How much do you store there?—In the dam about 19,000 gallons. That dam cost us £90; we simply built a wall in the Kloof, and below that dam we can build another.

5945. But that dam only holds 19,000 gallons?—Yes, but it continually flows into our reservoir of 3,000,000 gallons.

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5946. So that that dam does not count for much in your water supply?—No.

5947. Now, to what extent do you depend upon that storage?—Well, the water does not always run, the dam dries up in the dry season because then the Admiralty take away all the water.

5948. For how many months in the year is there a running supply equal to what you want?—Well, I think from three to four months in the year.

5949. Sufficient water for your needs?—Yes.

5950. And then during the eight or nine months you have to depend upon what is in that dam?—We have to depend upon our springs. (*Mr. Gillard*): I think the question has been misunderstood, because the fact is that for three or four months in the year we depend on our reservoir, but for the remainder of the year we have a plentiful supply.

5951. But during how many months of the year are you able to add water to that dam?—About eight or nine months.

5952. Then for nine months you can keep on putting into the reservoir?—Yes.

5953. And then you get a dry season of three months, and you tide over that three months by the water that you have collected?—Yes, but we require larger storage.

5954. Your 3,000,000 have to serve a population of 4,000 people for three months?—We estimate the population at 3,500.

5955. What does that come to for each inhabitant, does it not work out to a very small allowance?—Yes, but I think each individual is allowed twenty-four gallons per day.

5956. But he does not get that?—I have not worked it out.

5957. He would get about eight gallons of water; that is of the water stored each head of the population would only get that?—Yes, I should think so; the storage capacity would work out at about 8 gallons per head per day for the dry season.

5958. That is a very small supply?—Yes.

5959. And then you have a spring which will yield how much?—22,000 gallons per day in addition to the storage.

5960. That would bring you up to about 14 gallons per diem for each inhabitant?—Yes.

5961. That is still a small supply?—Yes.

5962. Have the Municipality thought of any plan for increasing that supply?—Yes.

5963. Where do you propose to go?—We have a plan at Noordhoek, but there are a great many difficulties.

5964. What are the difficulties?—There are too many inhabitants who have a right to the water, besides the Kalk Bay Municipality have bought the rights of the overflow of the water from the farmer who owns the place, so that we cannot get it there.

5965. Is that Noordhoek?—From the Noordhoek District. Our Town Clerk has been over to enquire and the Town Clerk of Kalk Bay has informed him that the Municipality of Kalk Bay have bought the right from the owner. Then lower down there is a farm of Mr. Lancaster; but below there are riparian proprietors who have had the right to the water for many years and the only plan that I can see is for us to join on to any water scheme which Cape Town or the Government might decide to bring to the Peninsula.

5966. With regard to Noordhoek, is it not the case that a large supply is available there for you?—There is a large supply, but Kalk Bay have got the rights.

5967. But have they bought the right?—Their Town Clerk said so.

5968. Did not your Engineer measure there?—Yes.

5969. And what did Mr. Attridge say?—He said it would yield 120,000 gallons per day.

5970. When was that?—In March last.

5971. And is it since then that Kalk Bay people have bought the rights?—No, it was before that. We asked Mr. Colyn and he said that he would be willing to sell it to the Government, meaning the Municipality, and I wanted to be quite satisfied on the matter, and sent our Town Clerk to Kalk Bay to make enquiries, and they informed him that it was sold for £305, that is for the overflow.

5972. Does that take up the whole of the Noordhoek supply?—Yes.

5973. And there is no other approach to it?—Not that I am aware of.

5974. Then you have to look in other directions?—Yes. I might add that Mr. Colyn approached the Council and said that he had purchased the water rights from the farm and offered us the rights for a certain sum, but the owner of the farm said that he had only given Mr. Colyn the option of purchasing in order to allow him

to search for minerals, and that Mr. Colyn paid £50 for the option, but that Mr. Colaine had no right to the water. Since then we have ascertained from Kalk Bay that there is an agreement between them and the farmer, and pending the decision of this Commission, the Council has not thought it advisable to do anything further in the matter.

5975 Do you agree with the Mayor, Mr. Gillard, that there is really a difficulty in the way of your getting a supply of water from Noordhoek?—Yes, the same difficulty arose with regard to Mr. Lancaster's farm, where a Mr. Barker said that he had bought the rights, but Mr. Lancaster said again that he has not, and we have done nothing further in the matter.

5976. The stream at Noordhoek is a very strong stream?—Yes, about 120,000 gallons per day.

5977. Has it been ascertained that this water runs all the year round?—More than that quantity; that quantity was gauged after a rain; but still the rain would not have made very much difference, and Mr. Colyn told us that it has registered 100,000 gallons during the driest period of the year.

5978. And when do you say you registered it?—About the 15th March.

5979. A couple of months ago?—Yes.

5980. Has the other Municipality done anything?—Yes, Kalk Bay has bought the rights.

5981. Have they done anything in the way of putting up a reservoir?—Yes, they have got a reservoir there, and I have also been given to understand that the water we registered there was simply the overflow from their reservoir.

5982. Is Mr. Attridge coming to give evidence?—No.

5983. *Mr. Stewart.*] The Noordhoek that you refer to, is that the Noordhoek that drains towards the Atlantic or towards Fish Hoek Bay?—Towards Fish Hoek Bay.

5984. You know that the Municipality of Kalk Bay have built a reservoir up that valley?—Yes.

5985. And you proposed to take another supply from there down the same valley but you have been given to understand that it could not be got?—Yes.

5986. When you went to negotiate you found that Kalk Bay had bought the right of that supply in addition to the water rights higher up?—Yes; and we heard at the time that it was the overflow which was running from their reservoir that we measured, but I don't know whether that is the case or not.

5987. As a matter of fact you don't know whether it is a water supply independent of or whether it is from the reservoir of Kalk Bay?—No.

5988. How far is that from Simonstown?—About eight miles.

5989. And has Mr. Attridge given you an estimate of what it would cost to bring that water in suppose you got it?—No.

5990. *Chairman.*] Have you any other scheme for a supply of water?—Yes, from Mr. Lancaster's farm just on the top of Red Hill, which will yield about 60,000 gallons a day.

5991. The same difficulties?—Yes, the same difficulties of parties claiming the rights, but I think that could be settled if the Council took the matter up earnestly, but seeing that the Government is having in view the supply of water either from Oliphant's Hoek or some other source, the Council have left the matter in abeyance until they know the decision of this Commission.

5992. You have there the difficulty that one of the farms is entailed?—Yes, I have heard of one.

5993. And then 60,000 gallons is not worth going to very much trouble about?—It would assist us with the other springs, and no doubt with careful attention we might get other sources.

5994. Does it lie in a direction that would permit of it being combined with the Noordhoek scheme?—We could do so.

5995. Would it be possible to have a common pipe for any long distance? I think we could join it about a mile or a mile and a half outside the town?—We would not have gone in for any one of these schemes, before we had the great man on water to inspect it. We want Mr. Stewart first to come and tell us whether we could venture such a thing or not, but I don't hold with any of those schemes; I hold that the Government should bring water to the Peninsula.

5996. You will be prepared to take a share in a big scheme?—Yes.

5997. Is that the view of the Council?—I think it would be the view of the whole Council. I don't care about these small ventures, I like a big scheme, and if we have to pay we would rather pay to the Government. If we had to go on providing storage for our requirements, we should have to provide fresh storage every year; and the

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water is not so good from the storage at Klavers Valley, where we can build another dam, as the spring water.

5998. You refer to the water from the same source from which the Admiralty conserves?—Yes; we don't want to build a reservoir every year, we want one good stream of water that flows all the year round.

5999. And that is why you would rather participate in a large scheme?—Yes, in order to secure a supply that can run throughout the year instead of meddling with these paltry affairs.

WEDNESDAY, 7TH MAY, 1902.

Present:

Hon. Sir BISSET BERRY (*Chairman*).

Dr. A. J. GREGORY.	Mr. W. E. GURNEY.
Dr. A. J. ANDERSON.	Mr. T. STEWART.
Mr. LAWRENCE.	Mr. J. E. R. DE VILLIERS.

Mr. Theodore Vollmer examined.

Mr. T. Vollmer. 7th May, 1902.

6000. *Chairman.*] Will you give us your full name, please?—Theodore Vollmer.

6001. You have been delegated by the Town Council of Wynberg to give evidence to this Commission on the matters referred to it?—I have.

6002. And you are a member of that Council?—I have been for the last nine years.

6003. And you have been for a long time resident in Wynberg?—Only for about ten years.

6004. Where did you reside before?—At O'okiep in Namaqualand; the Wynberg people spanned me in very soon after my arrival here.

6005. Now the Municipality of Wynberg has a very considerable area, has it not?—A very large area has been quite recently added to Wynberg by the wish of the Government, viz., the whole area of Plumstead and Diep River; but besides that Wynberg has a considerable area.

6006. So that Wynberg had a large area when created a Municipality under the Act of 1882?—Yes.

6007. How did you add to the original area—how did you set about it?—We did not set about it—we were not at all anxious, but the Government found that the portion to be added was becoming very densely populated and had no sanitation. The Government then approached us on the ground that in view of the condition of things which existed there was a possible source of danger to the inhabitants in the neighbourhood. We saw that there was a danger to Wynberg and we then readily fell in with the wish of the Government.

6008. Did the people petition them to join?—First they spoke against it, but we showed them that it would be a good thing for Wynberg, and they then agreed.

6009. I want to know whether the people of Plumstead and Diep River took any steps in the first instance with a view to being joined?—Oh no; not as a body; there might have been a case here and there, but the Government really took the first steps.

6010. The Municipal Council of Wynberg did not take the first steps?—No.

6011. When was this addition made?—I think about three years ago, if I remember rightly.

6012. *Mr. Gurney.*] It was in October, 1899?—Yes, it was about that time.

6013. *Chairman.*] Was that the first substantial addition to Wynberg since it was created a Municipality under the Act of 1882?—Yes; there had been a small portion added before. That was upon a petition from Mr. Buissinne and Mr. Beard and a few others to take in a small portion of Claremont, as that portion could only properly be served with water by Wynberg. As a matter of fact Claremont was not able to supply them at all with water, and then a Commission was appointed with the result that it was added to Wynberg.

6014. That was done upon a petition from certain inhabitants ?—Yes.

6015. *Mr. Gurney.*] That was in 1896 ?—Yes.

6016. *Chairman.*] How many Councillors have you at Wynberg ?—Nine.

6017. And how many inhabitants exclusive of the Military ?—We reckon at present—of course it is only a rough estimate—that we have a population of about fifteen thousand.

6018. And they are made up of the usual class of townspeople, shop-keepers, store-keepers, wagon-makers, and so on ?—We have a very large percentage of Civil Servants living at Wynberg.

6019. Those simply reside at Wynberg ?—Yes; we also have some business men from town residing there, but they are not nearly so numerous as the Civil Servants, the distance of course tells.

6020. What proportion of the people comes to town as Civil Servants or for business, and what proportion resides altogether at Wynberg ?—That I would not be able to tell. I did not know that such a question would be put to me, and therefore I did not prepare that information, but I should think it could easily be ascertained from the Stationmaster, who could tell how many season tickets he issues.

6021. Are parts of Wynberg rather densely populated ?—No part is very densely populated, but the middle parts of the town are fairly well populated.

6022. Have you the area of Wynberg as it now exists ?—Oh, yes; the area is 1,612 morgen, or about $5\frac{1}{3}$rd square miles—that is the exact area.

6023. Have you any coloured people in Wynberg ?—We have a good many, but they do not predominate.

6024. The European population predominates ?—Yes.

6025. Largely ?—Yes.

6026. And as holders of property they very much exceed the coloured people ?—Oh, yes.

6027. Wynberg is a very favourite residential suburb ?—Yes.

6028. Some time ago Wynberg was part of a larger Municipality, was it not ?—Wynberg is the residue of the Liesbeek Municipality which used to meet at Wynberg.

6029. Then Wynberg was the seat of Municipal Government for Liesbeek ?—I don't know that of my own knowledge, but I was told so by the older members of the Council.

6030. Your view is that the other three Municipalities seceded from you ?—Well, I think it was found that they could not work properly. The area was too scattered.

6031. Do you know what led to the secession ?—No, I have no idea.

6332. Do you know how it was that Wynberg came to Parliament for water rights on Table Mountain ?—Well, in my opinion it was Wynberg's right because Wynberg had bought the farm Orange Kloof, and those streams—both the back streams and the main streams—are the sources of the rivers which pass through our farm, so that I think Wynberg was justly entitled to get it. As a matter of fact, Cape Town had to pay Wynberg compensation for the area of the main stream because it belongs of right to Wynberg.

6033. Was there not some trouble in consequence of a certain Water Company acquiring Table Mountain water rights ?—That I don't know. I only know that the rights belong to us and that we hold the key to the whole position.

6034. I understand that; but I wish to get at the cause of the breaking up of the Liesbeek Municipality, and to know if you could say whether it was from any trouble about water supply, or from any other specific cause ?—From what I heard later on, I understand that the other Municipalities considered that they were well served by the Albion Spring. In fact, they considered the Wynberg scheme a foolish one, and so did some of the Wynberg ratepayers for that matter, until we showed them what a good thing it was.

6035. Then the separation did arise out of troubles about water ?—I don't know. All I understand was that they considered that the Albion Spring——

6036. We will come to the specific question of the water supply presently; I was trying to see why the Liesbeek Municipality was split up ?—I think they were very wise in doing so.

6037. You are not prepared to say that they would be wise in coming together again ?—I will give evidence when we come to that part.

6038. *Mr. Gurney.*] When you wish to enlarge or alter your boundaries, the course of procedure is first to put a notice in the *Gazette*—from the Municipal Council; then the Government consenting puts in a Government notice that they will enlarge the boundary, and then later on comes the Proclamation ?—If there is any objection, a Commission is appointed to go into all the merits of the case.

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6039. And there was an objection in 1896 in the case of the Claremont and Wynberg boundaries?—Oh yes, the Claremont people objected.

6040. In your estimate of the population, you have not, of course, included the Military?—No.

6041. Has the Wynberg Council, in taking in Plumstead and the other places, given any consideration to the Constantia area?—As I stated before, the Wynberg Council is not anxious at all to take other areas in; they find it is a losing business, as it can only be done at the cost of the ratepayers in Wynberg.

6042. In the case of Diep River and Plumstead, the Government made the first move and Wynberg welcomed that move because they recognised the danger?—Yes.

6043. And are they not recognising the danger in the case of Constantia?—I don't think there is any danger—there has never been any epidemic there.

6044. Are you aware that there is a large coloured population there, and that small-pox was particularly bad in that area?—If the Government says that it is absolutely necessary, then the Wynberg Councillors would look into the matter.

6045. *Mr. Stewart.*] To put it shortly, do I understand that it is not the policy of the Wynberg people to seek to increase their area?—No, it is not their policy.

6046. *Mr. Lawrence.*] You say a number of the residents there are Civil Servants? Yes.

6047. I suppose that gives a tone to the place?—We pride ourselves in having intelligent ratepayers.

6048. Do they take any interest in Municipal affairs?—They are debarred from taking a practical interest, but I know that they do take an interest, as several have approached me about different matters.

6049. With regard to the Liesbeek Municipality, you say they met in Wynberg?—I don't know that for a fact.

6050. You were not a member of that Municipality?—No.

6051. *Dr. Gregory.*] Don't you think that there is some other public duty that a Local Authority owes besides the mere consideration of what extra charge may be involved upon the rates?—Well, I have said that if we feel that it is necessary that our surroundings should be made cleaner, then we are prepared to do so, as we have done before, at a financial loss.

6052. Then presuming that it is shown that a necessity exists for adding to your Municipality, you would have no objection?—Well, we have a fairminded Council, and I think under those circumstances they would be favourably disposed to such a proposal.

6053. As a matter of fact, the property that you have taken in towards Plumstead and Diep River is a fairly valuable property and pays rates?—We expend more on them than we receive. We have got to lay an enormous length of pipe and also of electric lights which cost us a good deal.

6054. But you have the power to levy a special rate on an area like that for these special matters?—One does not like to take in a new area and burden the people at once with special rates. As a matter of fact, we have an arrangement with Plumstead by which we have agreed to expend upon them every penny that we receive from them; that is on the construction of roads and such matters, and besides we spend a good deal of money that comes in as rates to the credit of the Wynberg Council upon mains.

6055. What mains?—Water mains. We don't get anything like the interest on the laying of the water mains because they don't consume sufficient water.

6056. But you will in the future?—Oh yes, we hope so.

6057. *Chairman.*] Did the people apply to you to have these mains laid?—Yes.

6058. Why did you not apply the special clause in the Act empowering you to rate specially?—Well, we can, of course, make any laws we like as regards water.

6059. The law is there; I want to know why it was not applied?—We had no need to go to any rate. The water stands outside the Act; and we did not want to saddle them at the very beginning with a heavy expenditure, so we laid one main down, We have a resolution from the Council that whosoever wants a main laid down after this has to pay one-half of the cost. We had to do that in order to protect our old ratepayers in the old area.

6060. Then you are not out of pocket quite so much?—Well, I hope in course of time it will prove a good asset.

6061. Mr. Gurney will now ask a few questions about the Council's financial position?—Yes.

6062. *Mr. Gurney.*] We have caused the statements rendered by the Council to be abstracted and added, and the result is that the receipts and the payments for the last 5 years are totalled?—Is that general Municipal expenditure or water works?

6063. General Municipal expenditure ?—Yes.

6064. These statements shew receipts amounting to £36,937 and the expenditure £44,457 ?—Quite so.

6065. That is : the expenditure is some £8,000 more than the receipts ?—That is easily explained. You will find if you take each year separately that we very nearly balance everything. The only year that is out is the last year. The receipts are shewn at £10,346 and the expenditure £15,035. Well, the explanation is this : that our rate is levied on the 1st November, but it practically becomes only payable in February of the following year, so that about £9,000 is only paid in the next half, in February of 1902. At the same time we have spent a large portion up to the end of December, when, as I say, a large portion of our income is outstanding.

6066. As a matter of fact, the revenue paid this year in February is only sufficient to wipe off the liabilities arising from the previous year, leaving you nothing to go on with for the current year ?—I don't think so. We estimate that we shall have a very small overdraft this year. It must be borne in mind that we have been landed in a heavy sum owing to the plague business, and that is the reason why we have the rate of 2d.

6067. But as a matter of fact, you spent on the plague £573, and you recovered £507 from the Government ?—But then the thing is this : we have only placed to "Plague expenditure" such items as we could expect to recover from the Government, but there are other items which really formed part of the expenditure on the plague, such as scavenging and so on, which was very heavy but which was not included in the amount to be recovered from the Government.

6068. But is it not a fact that that additional expenditure simply represents the cleaning up of the place which ought to have been done systematically before ?—Well, in my opinion a lot of money was wasted, as things were done in a hurry, and I consider that things could have been done far cheaper if it had not been for the rush.

6069. Yes ; but the outbreak of plague had the effect of making the Wynberg Municipality spend a considerable sum of money in cleaning up where no cleaning up had taken place before ?—Yes ; but in many cases most unnecessarily. There were places which were perhaps not quite up to date, but I don't think that Wynberg was in a very unsanitary state before that. Of course, no matter what the place is, one can always find fault ; even if we had a rate of 4d. we could spend every penny, but what we look to doing is what is absolutely necessary and with a view to economy as far as possible. We don't wish to pump our ratepayers in order to be able to say every speck is quite clean.

6070. But the money that was spent was not thrown away ?—To a certain extent perhaps not, but I consider that on the whole a good portion was thrown away.

6071. On the whole, it was decidedly for the benefit of Wynberg ?—Yes.

6072. It improved the sanitary conditions of the place ?—Yes.

6073. The normal expenditure in this matter of scavenging is not likely to be as low again as it was before the plague ?—Well, that follows because we are increasing daily and new houses are being built, so that we are bound to go up higher every year. And then our staff have increased. Formerly we had only one man, an old Inspector, and no Engineer at all, but now we have Sanitary Inspectors, Engineer, and an Assistant Engineer, and so on ; but by the natural growth of the place we cannot help that. I would not like it to go forth that Wynberg had been remiss in its duty before the plague, and that it has only done its duty since then.

6074. But then, how do you justify the statement you made just now with regard to the increase of the expenditure ; that is the increase of £5,000 ?—It was put down as due to the plague, but is largely owing to the natural growth of the place after Diep River came in.

6075. It includes some stormwater drains, does it not ?—Yes, in Wolf Street, but then that is a thing which only happens once and will not occur again. In 1901 there is first "Wolf Street expenditure £459 10s." and the "Police" £252 as against £116 5s. Then there is the Royal Visit, which shews an expenditure of £200. As a matter of fact, I have here the figures. It makes a total of £950, which is expenditure that will not occur again, and, consequently, our expenditure next year will be less by that amount.

6076. But the shortfall for the 5 years amounts to some £8,000, and the rates falling due in February amount to some £8,000. How then do you argue that you will come out right at the end of this financial year ?—I don't know whether we will come out all right. Of course, I don't know all the details, but I know sufficient of the general financial state of Wynberg to be able to tell you that the debt will be very small. Our overdraft at the Bank is only £5,000, and at the end of the financial year we shall only be in debt to the extent of £1,000 or £2,000.

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6077. Is that in consequence of the large increase in the valuation of the property that you are expecting a larger rate?—That does not affect the amount of rates that we expected in February last.

6078. The Council has also rendered to us a statement of assets and liabilities as on the 31st December, 1901, showing a surplus of assets over liabilities of £9,788?—That is why I said that you will see on the other side that the tenants' rate and the owners' rate, which was due in 1901, but which we would only receive in 1902, is included as an asset, consequently there must be a surplus. The amount must go into the financial year.

6079. You get this balance by collecting these rates, and they are wanted to square last year's accounts?—Our financial year runs to June. In order to comply with the wishes of this Commission we have had to cut everything in half, so to speak, in order to prepare that return, but our financial year runs from July to June.

6080. Then when you say that you will come out particularly well this year, you mean the financial year ending on the 30th June, 1902?—I mean that we shall have very little debt, and I think we shall come out fairly correct.

6081. I want to be clear on this point: practically you are running your accounts on a financial year ending the 30th June?—Yes.

6082. And at the end of December it does not follow that you will come out quite right?—We will always be wrong if we take it up to that period.

6083. Well, now, among the assets you show the waterworks and certain moneys that you have spent on drainage and under the heading "General"—an amount of £25,000, but there is no landed property included there?—Well, there is £17,000 for the Municipal Hall and buildings included under "General."

6084. By Act 17 of 1896, certain lands were vested in the Municipal Council of Wynberg?—We have no right to bring that up as an asset.

6085. You have not valued these?—No.

6086. Have you any idea of what they are really worth?—They belong to the ratepayers, and we do not wish to bring that up.

6087. You have not considered the question of selling the land and providing a inking fund out of the proceeds, as Woodstock did?—I object strongly to that; we want to keep these open spaces for the people for parks and so on, and we would rather buy more than sell.

6088. Therefore you do not put them in as an asset to be done away with?—Yes, we want to keep them as an asset of the Municipality in perpetuity.

6089. Now, in the "General" expenditure of £25,000 which you shew as an asset, there is included the Town Hall and stables and so on; but as a matter of fact these are not valuable assets for the purpose of paying your debt?—We have a lot of waste land, but we have not valued that at all. The figures that we give represent actual money paid away. Thus the Town Hall represents about £15,000, and the stables about £2,000; so that there only remains a balance of about £7,000, which we have spent on all kinds of other works. That shews that we have a very good position, and that we have very little interest to meet. Our waterworks is a splendid paying business, and of course when our drainage is finished that will enable us to decrease our expenditure by about £4,000, which we have to pay now for sanitary works. I particularly wish the Commission to keep in view that Wynberg occupies a very strong and favourable position.

6090. You say that your Waterworks represent a very paying investment?—Yes.

6091. But according to the accounts rendered, apparently an expenditure on Waterworks during the five years has amounted to £18,134 and the receipts to £18,693?—That is so.

6092. The receipts are about £500 more than the expenditure?—Yes, but you must look on the other side and you will see that in 1900 we used £884 17s. 1d. in the purchase of meters. Then the next year we placed £300 to the Royal Visit. That already means £1,200 and later on again £66 for meters. Those are sums that you must account for. Now take the sums as you correctly gave them. There is £18,134, which is the expenditure, but to that you must add a debit of £311 that was taken over from previous years. That brings it up to £18,444, and the receipts amount to £18,693. We take now all the moneys that we have in hand; there would be first £311 deficit; then £884 purchase of meters; then again £68 purchase of meters; then £300 the Royal Visit, and so on, besides all the money there is to come in from the outstanding debts, and which have to be added to that. It will be seen that we have made quite a fair income without being too hard on the ratepayers. It must further be borne in mind that Wynberg has been very generous in its charge for water to the ratepayers. The Municipality charges the ratepayer on the minimum use, instead of on the maximum, as other

Municipalities do, and that makes a wonderful difference, because if we were to charge to the full then we would get nearly three times as much revenue ; but Wynberg has always endeavoured to give the ratepayers plenty of water.

6093. In the expenditure on the waterworks is included the interest on all the loans ?—Yes.

6094. I daresay you are aware that that is not done in every direction ?—Well, I don't know.

6095. Consequently, the expenditure shown on waterworks is really inclusive of everything ?—Yes, if we were to get every penny in for our water we would make a huge profit.

6096. In the matter of leadings to the mains you are not quite so happy in the five years, for you lost £500 ?—It is only apparently so. We did not want to make any profit out of the leadings, and I am bound to point out that we have some stock on hand to the value of about £500. We import lead pipes from England ourselves, of which we have a quantity on hand; besides, there is a certain amount of money outstanding, so that when we get that in we will not be in debt under that heading.

6097. You have raised 15 loans amounting to £116,700 ?—Yes.

6098. £33,600 is apparently at 5 per cent., £8,000 at 4¾ per cent., £39,600 at 4½ per cent., £17,000 at 4 per cent., and £18,500 at 3½ per cent. ?—Yes, that is so.

6099. All but about £5,000 of that amount has been raised for water works ?—No. There is £17,000 for drainage, and for £7,000 we bought landed property that we want for drainage purposes. But we do not include all these in our assets because our position is so good that we do not need to puff it up.

6100. The £116,700 includes the £17,000, and £5,000 for other purposes; and the remainder is for water works ?—I don't think that is quite right. The £116,700 loans raised was for—"General, £24,848," "Water Works, £74,852," "Drainage, £17,000."

6101. Yes, but "General" includes what ?—It is only loans raised.

6102. But in that statement under the £24,848 : is there a lot of water works business ?—No, the £17,000, as I said just now, is for the Town Hall and our stables.

6103. I am speaking of the £24,848 ?—Yes, that includes £17,000 for buildings.

6104. What arrangements have you for the repayment of your loans ?—We have no arrangements as yet, but the Council has agreed to provide a Sinking Fund on account of General Loans and Drainage Loans, but, as regards Waterworks, the Council does not feel disposed to have a Sinking Fund because it would not be just to the present ratepayers that we should redeem those loans. Our Waterworks are fully worth four times what they cost, and why should we hand over to posterity the Waterworks free of charge ? Drainage and the other works we are quite prepared to pay for.

6105. I want to know what steps you have taken to form a Sinking Fund ?—We have not really taken steps yet, but it is our intention to do so. We wanted to get the money from the Government and then of course it would have been paid off in the usual way; but the Government did not see their way clear to let us have the money, and it is a difficult matter to create a Special Sinking Fund. We would have preferred getting the money from Government.

6106. An arrangement under the Local Works Loans Act ?—Yes, that would be the most excellent way.

6107. Which puts the matter out of the Councillors' hands and takes away all temptation ?—Yes ; I advocated it most strongly, but unfortunately we could not get the money. I appear here as a ratepayer as well as a Councillor, and I want to keep temptation away from the Councillors.

6108. As a matter of fact, some of your loans are repayable by annual drawings, are they not ?—Well, there is the first loan of £16,000; we ought to have paid that off, because that amount exceeded ten times the value of our income, at the time the Waterworks were first undertaken, and we went to Parliament, but Parliament said we must pay it off, but since then we have taken it into our General Loan Account, and, if necessary, we could pay it off any day. As a matter of fact, we have already paid off £4,000. I have been arranging the loans in the best possible way. We pay off the loans we have at a larger interest and raise them at a smaller interest.

6109. That is you have paid something off your next loan too ?—Oh, yes; we are paying off. I got the money from the Standard Bank and South African Association at 3½ %.

6110. That is where you can make an arrangement you are doing so ; but you have no absolute right to make a debenture holder take repayment ?—We had to wait till the debentures fell due, and we paid off in that way. We paid them and took 3½ per cent. instead. We have made no provisions in such a way that almost all our loans should fall due at a certain time when we hope to consolidate them all.

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6111. I was coming to that. You are ultimately going to consolidate all the loans?—Yes, and get money at a cheaper rate.

6112. One other question; how would the Council justify the taking of £300 from the Waterworks account to pay part of the expenses of the Royal Visit?—That I don't know; I am not a lawyer. But the ratepayers said we had to spend it out of anything else except rates; and as we did not consider Waterworks as rates we charged it to that. As a matter of fact £200 was put against "Dog Tax." We were desired by the ratepayers to spend £500, but whether it is legal to charge it against those items I am not prepared to say.

6113. Dog Tax only provided £200, and so you were driven to the Waterworks for the £300?—Quite so.

6114. You were Mayor at the time?—No.

6115. You are not prepared to advance any argument in favour of that mode of dealing?—No; I think it is wrong.

6116. That leads us to the question of auditing. Who are your auditors at present?—Mr. Nash and Mr. Close.

6117. And whom did you have before them?—Mr. Brown and another gentleman whose name I forget at the moment; we had them for many years.

6118. The auditing in by-gone days could not be described as having been what it should have been?—No; that is the reason why we got in new auditors who are up to date.

6119. Is it not a weak part of the arrangement that the election of auditors is left in the hands of the ratepayers?—Yes, it would be far better if the Government had something to say about auditors.

6120. The ratepayers might put in auditors who are related to the Councillors or to the officials?—Yes.

6121. Would you not think it an improvement to have the accounts audited in the Department of the Controller and Auditor-General?—Most decidedly.

6122. *Dr. Gregory.*] You have borrowed on loan £17,000 for your drainage?—Yes.

6123. And on the 31st December you had spent £12,529?—Yes.

6124. Leaving a balance on that loan of £4,470?—Yes.

6125. But on referring to the loan account, as on the 31st December, you had only a balance of all your loans collectively of £3,376 19s.; where has the rest of the balance gone to?—We have the right under the Act of 1899 to borrow from one loan to the other, and we borrowed the money from the drainage works temporarily. We have in the Standard Bank a special account which is called the Loan Account, and we use from that for different kinds of works and just raise from time to time what is required.

6126 But is that a permanent borrowing from one loan to the other?—No, it is temporarily done. We cannot do it permanently.

6127. Do you think that is a good principle?—It is a saving of the ratepayers' money. For instance, if we have drainage and waterworks going on at the same time, and we want £10,000 for the one and £10,000 for the other, we first raise £10,000 and spend it on both works, and when that is exhausted we raise the other.

6128. But on the other hand, is not that a dangerous principle?—Well, it is allowed to us by Parliament.

6129. I am not saying that it is illegal; but is it not a dangerous principle which enables you to spend more money on certain works than you have actually got loans raised for?—No, we have got to go to the ratepayers and get their directions for every penny that we spend.

6130. Is it not dangerous to allow you to do that temporarily, because once it is done the ratepayers must acquiesce?—Yes; but you must bear in mind that before we undertake any work we must get the consent of the ratepayers to undertake that work.

6131. You can borrow up to a certain amount?—Yes; there is a provision in the Act which says that the money borrowed is to be taken on ten times the value of our income, so that it could not be very much abused.

6132. But it does enable you to spend more money on the work than has at the time been authorised by the ratepayers?—Temporarily only.

6133. And it really goes against the principle which has generally been accepted that when you raise a loan for a certain purpose it should be earmarked for that purpose?—That matter was gone into when the 1899 Act was before Parliament. Then all the *pros* and *cons* were gone into and they decided that it was desirable to give that right, and I don't think that it has been abused. It is better to take up a small loan for two or three works going than take up two or three big loans at once.

6134. In your opinion, is it a good principle or a bad principle?—It is a good principle, because it saves the ratepayers' money.

6135. The possibility of saving a little money on interest you would regard as a good set-off against the possibility of the Council spending money without sanction?—But then the Councils are elected by the ratepayers and if the ratepayers see that their confidence is abused they would very soon make an end of them. And then you must never forget that the Councillors are personally liable when they go beyond their authority from the ratepayers. Supposing the ratepayers had sanctioned £10,000 and we spent £12,000, then we would be liable for £2,000.

6136. Is the practical result not that money once spent has to be paid by the ratepayers?—If honestly spent.

6137. *Chairman.*] Look at the printed abstract which we have given to you; on the "Receipts" side for "1901" at the foot of the column you will see the amount is £10,346 16s., and the expenditure on the other side for the same year amounts to £15,035 1s. 9d. The difference arises from the fact that the year's rate is not collected until the following year?—Yes.

6138. But then in "1901" column, on the "Receipts" side, you have brought up all the rates for 1900?—No, we have not.

6139. But they are there?—No, we have only brought up actual receipts.

6140. If you will allow me, look at the top of the column and you will find an amount of £7,141 and below that £1,183; now, that is rates for 1900 and not for 1901?—Yes.

6141. So that there is a possible confusion there?—Well, the figures ought to be taken at the end of our financial year. It caused no end of trouble to prepare the statement for the Commission up to the end of December last, because, as I have pointed out, there are still receipts outstanding to the amount of about £8,000 or £9,000.

6142. Are you not always in advance of your revenue?—Oh, yes

6143. You admit that you are in advance?—Yes; because we are £2,000 in debt: that I know, but not to the extent that those figures shew.

6144. *Mr. Gurney.*] December is about the worst time to take it?—Yes, it shews most unfavourably to the Council.

6145. *Chairman.*] When do you make up your estimates for the year?—In August; we then make it up from July to June.

6146. And then they cover six months' expenditure during the last year?—No, for twelve months, from July to June.

6147. I see this return is made up for the calendar and not for the financial year, and that is the source of the apparent mistake?—Yes, of the apparent difference.

6148. But if it were made out on the same basis as you make out your revenue and expenditure it would work out right to some £3,000?—With the exception of the little difference. The auditors have gone most carefully into that.

6149. *Dr. Gregory.*] Then, when you are fixing your rate for the year, you are not fixing it on your estimates, but you are fixing it on your expenditure, because you know that it has to be absorbed by expenditure already incurred?—No; we generally fix the rate in August, so that up to that time we have incurred only one month's expenditure. Our estimates are carefully drawn up for the period July to June, and then we fix a rate accordingly to cover those estimates.

6150. *Chairman.*] When you come to make up your estimate in August next will you levy a rate to extinguish that £2,500 or £3,000 overdraft?—Yes.

6151. So that if we went into this business next year, we should find that this overdraft had been wiped off?—Oh, yes.

6152. *Mr. Lawrence.*] Your revenue from receipts for 1901-'02 will be greater than that for 1900-'01, because of the increase of the valuation of your property?—If this is the proper time to deal with the matter, I should like to lay it before the Commission. We have only last year come to the legitimate height of our rate of 2d., because a higher rate than 2d. is, I consider, an illegitimate rate.

6153. *Chairman.*] Not with the consent of the ratepayers; but we will come to this matter later on?—Quite so. If you look at the rates that we charge, you will see that in 1896-'97 it was 1½d.; in 1897-'98, 1½d.; in 1898-'99, 2d.; in 1899-1900, 1¾d.; in 1900-'01, 1¾d.; and now, 1901-'02, 2d.; so that this rate covers the huge sanitary expenses which run to nearly ½d. in the £. All the other Municipalities charge that separately. The people have not only to pay an owners' rate, but they have also to pay sanitary rates as well, so that really to arrive at the proper rate that we have been charging you must take off ½d. from each of the rates for the years that I have quoted. In addition to that, our properties have been valued very leniently so much so that this year valuation has been doubled. We were never very anxious that our property should be valued to the full extent, but for many reasons it was considered necessary to have the new valuations this time fairly up to

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the level. Well now, that will bring us to the position that our rate this year will only be 1¼d., and if you take the ½d. rate off that for sanitary purposes it would only be 1¼d. minus ½d. For that reason you must bear in mind that Wynberg stands on a different footing in every respect, and therefore we wish to remain as we are, but that enters into the question of amalgamation.

6154. We will come to that presently?—Oh yes, but I don't wish the point to slip away.

6155. Look at this point: the valuation we have here for 1901-02 is the valuation on which you rate 2d? Quite so.

6156. And the valuation next year will be higher; in fact nearly double?—That valuation will be about two million pounds roughly.

6157. *Mr. Lawrence.*] Is the valuation not settled yet?—No.

6158. *Chairman.*] You anticipate your next valuation will be very much in excess of any you have had yet?—Yes, and that is why we expect to levy only a 1¼d. rate, and then there must be deducted the value of the sanitary expenses.

6159. It does not seem to help the ratepayers much when you double the valuation and halve the rate?—No, it comes to the same thing.

6160. *Mr. Gurney.*] Is not your object to increase your valuation so as to increase your borrowing powers?—No; we simply wish to shew what a strong position we hold as compared with other Municipalities.

6161. *Mr. Stewart.*] You refer to the sale of land as a source of revenue for Wynberg?—No, we don't sell any.

6162. But under the conditions that you hold that land could you sell much of it?—The land that we hold we hold under the distinct understanding that any money we get out of it shall be spent on public works and on streets in the neighbourhood. We have no right to apply it to rates.

6163. What piece of public land may you sell?—Here and there odd pieces, but we have not got much for sale.

6164. You cannot for example sell your park lands?—No.

6165. Then you referred to the meter charges?—That comes under "Waterworks."

6166. Do you consider your meters as a source of revenue?—No, not at all. The meter charges are 12s. a year, and they simply cover the expenses; our object has been to give the ratepayers the water as cheaply as possible, and we only charge so as to cover ourselves.

6167. In other words, the rent charged by Wynberg for the water meters is simply a charge to cover wear and tear of the meter, interest and depreciation?—Yes.

6168. You don't intend to make a profit out of the rent of your meters?—Certainly not.

6169. We have it in evidence that in another case a profit of something like £2,000 in one year was made?—But then they charge absurd rents. Wynberg has no intention of making a profit from those rents. As a matter of fact, the meter rent used to be 6s. per quarter, and the first thing I did was to reduce it to 3s. per quarter, because we don't want to make profit.

6170. Do you find that the rent you charge is sufficient?—I think so.

6171. *Mr. Lawrence.*] With regard to the Plague business, Wynberg had its own administration?—Well, we had our own doctor, but we had to do what Government told us, practically.

6172. It was not run by Government?—It was run under Government control. A certain amount of the expenses were paid by Government.

6173. You did not come under the wings of the Government the same as Cape Town did?—No, not to that extent.

6174. With regard to this expenditure of £300 for the Royal visit, is the Mayor of Wynberg allowed any "table money"?—No; he has to find that himself.

6175. How is the property valued at Wynberg?—As I said, until lately it has been valued very leniently indeed.

6176. What is the system? Have you an officer specially appointed by the Council?—No, the Council issues a notice calling for tenders, and when tenders are received the Council selects a tenderer or tenderers to do the work, and when their valuations come in a Court is held to hear objections. In connection with this matter, there is one point which ought to be altered, and that is, that the Suburban Municipalities, according to counsel's advice, have no right to raise the value of property, although they have a right to lower the valuation. So that, if a case should come before the Court where favouritism has been shewn to a particular person and his property valued below its value, the Council has no right to bring it up to the proper scale.

6177. As a matter of fact, they did raise the value in some of the other Municipalities; for instance, in the case of Woodstock?—Well, we have taken counsel's opinion, and it goes the other way. We don't like to do it, because it may mean a case in the Supreme Court.

6178. With regard to the class of man that you get as valuator, I see last year your valuation stood at about £1,124,000, and you say that the next year your estimated valuation is something over £2,000,000?—Quite so.

6179. Had you the same valuator?—Oh, no, this year we had Mr. Fock and Mr. Moller, who always value very highly, whilst formerly we had local men who dealt leniently with the ratepayers, because then it was a policy to keep the properties as low as possible.

6180. Do you think the valuation should be done by a Government official and that there should be a Valuer-General?—Oh, yes.

6181. Supposing a Government official were appointed, would you still have your Court of Appeal?—Oh, yes.

6182. How would you compose that Court?—Well, I should say Government should appoint some members and the Council should appoint some members.

6183. You would still be in favour of the Council having representatives upon the Court?—Oh yes, because they know the place, and you must have some men on the Court who know the details of the locality.

6184. You are not afraid of favouritism?—No, they can be out-voted.

6185. Then you would not give them a majority?—Oh, no; they have to be in the minority.

6186. Does the Council compel speculating builders to provide for open spaces in their plans?—All we can do is to compel them to leave the proper width of street, and so on.

6187. I was rather referring to the speculator who bought up land and then cut it up?—We could not force him to leave open places.

6188. Some of them do, I suppose?—I don't know of a solitary instance; they are too grasping for that.

6189. What interest do you pay Government on those Sinking Fund loans?—We got nothing from Government.

6190. I understood that you had one loan from Government?—Oh, no; we applied for one, but I suppose Government thought that Wynberg was strong enough to get the money elsewhere.

6191. Could you get the money cheaper elsewhere?—We hope to.

6192. *Chairman.*] With regard to the question of valuation, in one of the returns that we have from you the number of houses in 1900 is put down at 1,290, and in 1901 the number is put down at 1,492. That is an increase of about 200 houses, and the increase in the valuation for the same year was £100,000?—Yes.

6193. And now you say that the valuation for the ensuing year has doubled?—Yes.

6194. What proportion is attributable to increase in the number of houses and to increase in valuation respectively?—Well, until we have the returns I will not be able to answer that, but I should say that there would be fully £800,000 by increased valuation.

6195. Well, then, the ratepayers are very much at the mercy of the valuators for the time being?—So they are.

6196. May I just ask you whether the Council ever directly or indirectly gives any kind of hint to the valuators?—I don't think so; not as a Council.

6197. You agree it is better to have an independent valuator?—Oh, yes; Government could appoint one.

6198. From the point of view that by the Act under which you are created you have the power to borrow ten times the amount of your annual revenue: is not this rather a serious matter?—As long as the properties are not valued above their real value I don't think the Act is likely to be evaded. It is impossible for all the properties to be valued higher than their fair worth, and there is a check because it is done with the consent of the ratepayer, and in my opinion therefore there can be no abuse.

6199. We will come to that later on. Your revenue from rates last year is £8,300, and there will be a great difference in general revenue when your rates amount to something like £17,000 as they may do?—But we shall have a 1¼d. rate.

6200. Still, the borrowing powers of your Council are raised in respect of rates as revenue from ten times £8,000 to ten times £17,000?—Yes.

6201. But you might get the valuations next year to double again?—We would not stand that. If we have the valuation low we can put on a rate of 4d., and then we will have a big income all the same.

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6202. I am speaking with reference to the question of your borrowing powers being ten times your annual revenue; and your plan seems to lead to this: that the Council's borrowing powers really are determined by the valuators more than by anybody else?—But the Council sit in judgment over the valuators, and will not allow the properties to be valued too high. The Councillors are generally large property owners themselves, and they would not allow their property to be excessively valued.

6203. And they would protect the general ratepayer as much as themselves in that respect?—They would not remain long on the Council if they did not. You must bear in mind that all the other Municipalities have had to go to Parliament for additional borrowing powers as they could not get sufficient out of ten times their annual income, whereas we have not done so.

6204. What Municipalities?—Why the Municipalities in the suburbs have paid for their water by an Act of Parliament, but we have kept within the four corners of the law.

6205. *Dr. Gregory.*] With regard to the power of the Valuation Court, you say you took Counsel's opinion, will you tell us who the Counsel was?—The Secretary was told to get Counsel's opinion and he got one of the advocates to give one, but I don't know the name of the advocate.

6206. Could you put in that ruling before the Commission?—Oh, yes.

6207. Because the section of the Act says "That the Court shall in hearing objections confirm, alter, or reduce"?—Yes, but the advocate held that "alter" did not mean "level up."

6208. What does it mean?—I don't know. I raised that question, and I think Parliament should be a little more distinct with their laws.

6209. *Chairman.*] On the subject of water: I hold in my hand a statement which shows the number of houses that you supplied in Wynberg from 1897 until now, and the quantity of water consumed at present—for the year—is 250,000 gallons. Well, I think you gave us your population as 15,000, so that works out at about a little over 16 gallons per head per day?—I must point out that many of the outlying places such as Diep River are not getting water from us, but are having their own supply from wells.

6210. But it works out at that per head of population according to your supply?—It is not correct.

6211. That is your average supply?—No. We have 1,492 houses, which we supply, but these are only a portion of the houses in our Municipality.

6212. Then the memorandum goes on to say "that in summer when the pressure is reduced in the mains the consumption is 170,000 gallons a day"?—It is the other way about.

6213. In addition to this the statement says that 22,000 gallons are used per diem for street purposes during seven months; now does that come off the 170,000 gallons?—Those facts are not correct. They are wrong altogether and——

6214. I will give you plenty of time if you will just try for a moment to grasp the point?—Yes.

6215. The difficulty arises in this way: If I take the 170,000 gallons per diem and the population at 15,000, then I must reduce the 16½ gallons per head of population to 11½. And if still I have to take off the 22,000 from the 170,000 gallons the total consumption distributed for the 15,000 head of people comes down to 10 gallons per day per head?—That is all built on a wrong basis. I will explain it to you, and I might in this connection read to you my Mayor's minute.

6216. You say that the figures I have quoted are misleading?—Yes.

6217. Then this statement should be withdrawn?—Yes.

6218. Now will you give us your statement of the facts of the case?—Yes; I will put in first an extract from my Mayor's Minute, July, 1898. Extract put in as follows (not read):—"*Re* Water Extract.—In consequence of the great variations of heat and cold which affected the extensive cement work some cracks have occurred in the sides and the bottom of the reservoir. Mr. Stewart, our engineer, however, holds that the defect can easily and effectually be remedied. The storage reservoirs were emptied and thoroughly cleaned, and the valves closed down again on the 23rd June. The recent rains filled both reservoirs within a month, and 35 million gallons of water are stored up, which are required to equalise and increase the gradually diminishing quantity of water from the springs as well as from the Disa and Bush streams at our intakes, Orange Kloof. I estimate that about 500,000 (half a million) gallons will be available per day, but the pipes leading from our intake at Orange Kloof to Service Reservoir can only carry 330,000 gallons. It will, therefore, be necessary to lay down an additional line of pipes. If satisfactory arrangements could be made with the adjoining

Municipalities, Wynberg could sell to them a certain fixed quantity of water for a fixed time, and to arrange for additional storage of water it would only be necessary to raise the wall of the lower storage reservoir on the mountain which would give an additional supply of about 25 million gallons of water. The adjoining Municipalities would surely be prepared to pay a price giving a satisfactory profit to Wynberg, and the advantages would be mutual as they will hardly have enough water even when taking over the District Waterworks to take a draining scheme in hand. To construct reservoirs on their side of the Table Mountain could only be done at a ruinous cost, and the Cape Town Corporation would hardly be prepared, at all events for some time to come, to join with them in a scheme to bring water in large quantities from a distance. The three-quarter million gallons per day that would be available after raising the wall of the lower Storage Reservoir could be further increased to two million gallons per day by constructing additional Storage Reservoirs at suitable sites. If still larger quantities should be required in years to come, a further million or more can be derived by pumping the water up from the lower portion of our farm Orange Kloof into our intakes." Our supply during the winter is practically unlimited, and we can give the ratepayers as much water as they can use, because it is running to waste in millions of gallons.

6219. *Mr. Lawrence.*] Per day?—Yes.

6220. *Chairman*] The statement shews your winter supply as 450,000 gallons?—That is the summer supply; people never use 450,000 gallons in winter. The position is this: that in winter our ratepayers only use water for domestic purposes, and that is a very small amount, which we put down approximately at 170,000 gallons, and that is where this 170,000 gallons come in. In summer our ratepayers use a large quantity of water for their gardens. In summer the people use nearly three times as much as in winter, and as I have before pointed out we only charge them for what they use in winter as a minimum rate. The other Municipalities would charge them on the 450,000 gallons which is the summer supply the whole year through. We want these reservoirs on the mountain in order to supply our people with sufficient water during the summer, so that they would have enough for their gardens around their houses. But I must point out that last year we were suddenly restricted owing to some water running to waste through the pipes being broken, and that is the reason why reference is made to the pressure being taken off and the supply being then put down at 170,000 gallons; but that was only a temporary thing and is not likely to occur again.

6221. We will take the items one by one. "The actual consumption cannot be very well tested but the average consumption for the present would be 250,000 gallons for the year?"—Quite so, outside the gardens I will accept that.

6222. The second statement is "that when the pressure in the mains is reduced in summer the consumption is 170,000 gallons per day?—That is what I explained when we were suddenly restricted.

6223. Is that for gardens or domestic purposes?—No; that was when we were short of water. The water was running to waste and the pressure was reduced, and during that time it was estimated that 170,000 gallons were used. Then as regards the 250,000 which, according to your calculation, works out at 16 gallons per day, I would point out that that is calculated on the basis of the whole population of 15,000, whilst you should only base the calculation on the number of houses actually supplied. At present we have 1,492 houses; that is in 1901—but now let us take it at 1,500 houses and say each house contains six inhabitants or a little more; then let us take 200 gallons for each house, that will bring us to a consumption of 300,000 per day, which works out at 30 gallons per head of population.

6224. But then you put your population down at 15,000?—Yes, but they are not all getting water, although we could give it to them if they asked for it; but it is no use our making provision for people who do not want the water. We cannot force them to take it.

6225. They cannot force you to give it?—No, but we are most anxious to give it to them.

6226. You have not got it to give them?—What? We will give them as much as they want.

6227. Then you admit that only a certain number of your houses are connected with your water supply?—Yes.

6228. What proportion?—About two-thirds, so far as I know about 1,500 houses.

6229. *Mr. Stewart.*] You gave your total population to be about 15,000?—That is what we estimate; we have no means exactly to know what it is.

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6230. Then, as the Municipality is not bound to supply the people with the water, the supply must be taken to be the quantity per head of the population actually supplied?—Yes.

6231. That is 1,500 houses, and you take six persons to each house?—Yes.

6232. Do you happen to know, generally speaking, that in Great Britain the consumption of water per head per day is arrived at by dividing the total daily supply by the total population, even although every house may not be supplied?—That I don't know.

6233. Do you know that in Great Britain people are obliged to take the water if the main pipes come to within a certain distance of their houses, and that the Municipality is obliged to supply them under certain conditions?—Oh, yes.

6234. Then you admit that that might be a fair way of working it out, but it is not applicable to Wynberg?—Yes, in Great Britain they are practically forced to take the water, but here many people will not. Even our former Mayor did not take it.

6235. *Chairman.*] It is not in every respect therefore that you are a model Municipality?—We are working for it.

6236. *Mr. Lawrence.*] Where did the former Mayor get water?—From wells.

6237. *Chairman.*] What sources of water supply have you in Wynberg? Where does the water come from?—The Wynberg Municipality, as I said, owns the Orange Kloof farm.

6238. That is part of Table Mountain, geographically speaking?—Yes, it is a huge valley with an immense watershed.

6239. And in 1887 the Legislature generously gave you the right to the water in that area?—Oh no, we bought it.

6240. From whom did you buy it?—From some farmers; we had nothing to do with the Legislature. I think we bought it from one Mr. Steven. I must say that Parliament took away the watershed on Table Mountain of one of our tributaries and gave it to Cape Town.

6241. An Act was passed in 1887 to confer upon Wynberg Municipality certain rights, powers, and privileges for the purpose of securing a supply of water for the use of the inhabitants from Table Mountain?—That Act was only to give us the right to one of the tributaries.

6242. That is the Table Mountain supply?—Yes, and our farm goes right up to that. In any case the water would come to us, but the Government took away a lot of water from the Wynberg farm's watershed and gave it to Cape Town.

6243. Is your collecting area within the Wynberg Municipality?—No, not that on Table Mountain, but the other is our own private property.

6244. There is no part of your collecting area within the original area of Wynberg?—No.

6245. And part of your collecting area was granted to you by this Act?—Yes, on Table Mountain.

6246. Another portion of the collecting area you bought?—Yes, the main portion.

6247. Have these possibilities of supply been gauged?—Oh yes.

6248. By engineers?—Yes.

6249. Who gauged them for you?—Our Engineer. We have built the reservoirs already.

6250. What do you understand to be your possibility of supply; I mean, what total quantity of water is available from all the sources of supply?—From the estimated rainfall that would give us a storage capacity of 60,000,000 gallons. That is all that we were allowed to get.

6251. But it is not the whole possible supply?—That is the whole possible supply that the Government gave us.

6252. *Dr. Gregory.*] That is from your tributary?—That is what they gave us. They gave the others to Cape Town.

6253. *Chairman.*] What I want to know is this: how much water can you get from the whole of your catchment area?—That is another point.

6254. Had you no estimate given you by the Engineer of the quantity running off from both of your catchment areas?—If everything is stored the approximate smpply would be about 2,500,000 to 3,000,000 gallons per day.

6255. And how much would you be able to store?—So much that we could supply that quantity.

6256. All the year round?—Yes.

6257. Dry season and wet season?—Oh, yes.

6258. That is exclusive of the Cape Town supply?—Oh, yes, Wynberg's alone.

6259. Was that estimate given you by a qualified engineer?—Most decidedly.

6260. Now, what storage capacity have you at the present time?—We are able at present to store 34,000,000 gallons, but we are now increasing it to bring it up to

about 50,000,000 or 52,000,000 gallons. Any further storage we would do on our own farm at Orange Kloof. There are two big rivers running through the farm, and the least rain makes the water run strong.

6261. Have you any works there?—No.

6262. Now, your storage capacity at present under construction will bring it to 50,000,000 gallons?—Yes.

6263. For how long in the dry season is that intended to carry you?—As a matter of fact, this last dry season we had no need to take anything from the storage on the mountain until the beginning of January; the springs and the rivers kept us going until the 1st January, and again since the 1st April. We have had no need to take any water from the Reservoirs.

6264. Do you not distribute that water from a reservoir?—Yes; we have about five or six springs, which are all taken to an intake, and from there brought to our service reservoirs. We have one of 220,000 gallons and another of 1,800,000 gallons. gallons.

6265. Could you lead the water to those service reservoirs from the storage reservoir?—Yes.

6266. So that practically the supply from these springs and the river is brought by pipes to your service reservoirs, which are adjuncts of your storage reservoir?—Oh, yes, that is the main supply.

6267. What is your charge for water?—1s. 3d. per 1,000 gallons.

6268. By meter?—Yes.

6269. Must people take by meter?—Oh, yes, practically most of them have to take by meter.

6270. And you consider that your present supply is adequate for the needs of your population?—Yes, for many years to come.

6271. With the exception of those who do not take water at present?—Yes; we had in 1898 a large quantity of water, and owing to the other Municipalities being badly off for water, we were prepared to sell water to them, and we could do it to-day, as we have far more than we can at present use. Of course, we would then provide further storage reservoirs.

6272. *Dr. Gregory.*] What is the area of your Orange Kloof Farm?—I don't know.

6273. Approximately?—I have not the slightest idea.

6274. Don't you know how many morgen?—No.

6275. But the whole of that farm is gathering ground for water?—Yes, to the Mountain slope.

6276. And it furnishes this water in two ways—first, some is running from the streams and the springs, and secondly what you could get from storing stormwater which runs off?—Yes.

6277. I understand you are storing nothing at present?—No.

6278. And you are only taking from your springs and perennial streams?—Yes.

6279. What does that amount to?—Well, in winter we can take of course as much as our pipes can carry and as soon as the pipes are full the water runs to waste. We do not use anything like what we could. Of course in summer again the rivers get gradually weaker, and as I said it was at the end of December when the rivers and the springs did not supply sufficient water direct for the use of our ratepayers.

6280. What is more or less the amount from your rivers and springs from Orange Kloof farm in the driest time?—The least is about 70,000 gallons.

6281. And for how many days during the summer does it supply only 70,000 gallons?—It varies very much; it may be 70,000 to-day and 200,000 gallons to-morrow.

6282. What ground have you for saying that?—From practical experience. I have been working night and day on those waterworks.

6283. I see that you are getting a rent for your farm; what does that mean?—There is a house on the farm and a man is occupying it.

6284. Is any part of the farm cultivated?—There is an orchard. The farm is well adapted for fruit-growing.

6285. How much is under cultivation?—I don't know.

6286. What steps are taken to prevent pollution?—The farm is far below our intakes and the people are not allowed to come near the intakes at all.

6287. How have you ascertained that you will get 2,500,000 to 3,000,000 gallons per day or 900,000,000 gallons per year?—We have a report from Mr. Stewart.

6288. Can you put in that report from Mr. Stewart?—It is a letter really, and I think it would be hardly fair to Mr. Stewart to put that in as it is not a detailed report.

6289. Who is your engineer?—Mr. Stewart.

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6290. Then when he started this work I suppose he gave you the figures as to what your gathering ground would yield?—Mr. Stewart has, of course, a very long experience, and knows how much water falls there and he gave us an approximate idea of what can be stored, but of course it is a technical question for me. He based his figures on facts which are known to him, and from my knowledge I think he is quite right.

6291. Before you bought this farm had you no figures before you as to what the water supply would be?—I was not in the Council at the time.

6292. *Chairman.*] When did they buy it?—I don't know.

6293. *Dr. Gregory.*] When you constructed your reservoir in connection with the tributary running from the mountain, what figures did you have then before you?—Mr. Stewart gave us the amount that we could store on that area at about 60 million in average years.

6294. And you are engaged on that now?—Yes, upon works which will store about 50 or 52 millions.

6295. Now, have you any returns in this matter from Mr. Stewart about the 60,000,000?—I think so, but we have practically proved that. The proof of the pudding is in the eating thereof.

6296. But could you put these returns in?—Yes, I think so.

6297. And could you put in Mr. Stewart's letter in regard to the other matter?—I don't know. It is really a private communication to the Council, in which Mr. Stewart simply gave us certain ideas *gratis*. Of course, we can apply to Mr. Stewart to furnish us with a detailed report, and then that can be put in.

6298. But these figures, were they not given to you for the use of the Council?—Yes, but they were not really figures; we asked him more or less for an idea, and he gave us a letter giving us a rough one, and I think it would be most unfair to put anything in that has not been properly drawn.

6299. I presume that letter or information, whatever it was, was supplied to your Council to guide you?—Not at all; it was simply to tell us what we might expect in the future, and Mr. Stewart gave it to us free of cost. I personally asked him.

6300. But surely that information belongs to the Council when it is given to you?—Yes, but the question is now whether we have any need to supply it.

6301. *Chairman.*] Have you any objection to supplying it?—Certainly I have.

6302. *Dr. Gregory.*] What is your objection to supplying it?—That is my own matter.

6303. That is your personal opinion?—Yes, and I think the whole Council would take that view; they are generally led by me in such matters.

6304. How many Councillors are there?—Nine.

6305. And those other eight men are led by you?—Bah! I cannot understand the Commissioner asking such questions.

6306. *Chairman.*] This report is not an official report, it is a kind of friendly report from Mr. Stewart?—Yes, and I don't think we are justified to put it in.

6307. Suppose Mr. Stewart has no objection, and the Council has no objection, then can we get a copy?—We will apply to Mr. Stewart to give us a proper report, and then we could put it in.

6308. You don't think Mr. Stewart would like this letter to go in?—I, as a Councillor, object, whatever Mr. Stewart might wish, but we are quite prepared to ask him for a detailed report, and then put that in.

6309. Was Mr. Stewart your Consulting Engineer at the time when he made that report to you?—He was not our Consulting Engineer, because we only pay him when a work is undertaken, but he has always taken a lively interest in Wynberg matters, and we have never yet paid him as Consulting Engineer.

6310. Do you think this report will be of any value to us as shewing the possibilities of increasing the water supply to the Municipality?—Yes.

6311. Then don't you see that it is one that we ought to have?—We will communicate with Mr. Stewart.

6312. And ask him whether he is willing to supplement it or not?—Oh, yes.

6313. Will you make a note of that?—Yes, I will not forget it.

6314. *Mr. Gurney.*] However abundant the supply of water may be, and however cheaply it may be supplied to the individual ratepayers, it would be a matter of interest to this Commission to get some idea of the way in which the Council had administered public funds in connection with the procuring of this water?—Yes.

6315. And in special reference to that I should like to have from you some remarks on the building of the service reservoir?—Yes.

6316. You are well acquainted with all that?—Oh, rather.

6317. I think it was estimated that it would cost some £8,200?—I must say as regards that service reservoir that Mr. Stewart was right with his figures, but the

Council decided not to expend that money for the reservoir that Mr. Stewart thought fit. He was of opinion that it should be built the same as our other reservoir with a vaulted roof, but the Council decided that they would simply have an iron roof.

6318. Does the estimate of £8,200 include the iron roof?—I don't know, but just at that time there was a big strike going on in England and the cost of iron rose enormously.

6319. In June, 1898, the reservoir was supposed to be finished?—It was not supposed to be finished, but we used it in 1898, before the roof was on.

6320. The cost up to that stage had been £11,300?—I have not got the figures here so I don't know, but I know it cost a good deal more than the estimate.

6321. Then you put the roof on at a cost of £1,676?—Oh no; the whole expenses up to that time came to £11,544, out of Loan No. 9 and Loan No. 10.

6322. This £11,544 includes the cost of the roof?—Yes.

6323. That is £3,000 more than the estimate?—Yes.

6324. But then something happened; can you tell us what?—Nothing happened; nature acted as nature will do; the cement had contracted and the ratepayers insisted on our doing something that was unnecessary.

6325. Did not the supports of the roof go through the bottom?—That is foolish.

6326. What was the difficulty?—There were cracks in the cement and no water came through but the ratepayers insisted on our putting in expanding joints.

6327. That was in 1898?—Yes, and the same thing happened in 1899.

6328. And then they incurred an expenditure of about £300 or £400?—I am practically the father of this reservoir, and if there is any blame I wish to take it upon myself. It was built on my wish with a view of getting sufficient water for the ratepayers. There was a bitterly cold night and the cement simply pulled away and showed a crack on the outside, and in the next winter when we emptied the reservoir we had it attended to. It held all right during the summer, but during the next winter the same thing happened again.

6329. And then that sum of money was spent?—Yes, it was the wish of the ratepayers that we should make it a complete job, and we had to put in the expanding joints.

6330. How much did that cost?—I don't know; it was the wish of the ratepayers.

6331. £5,000?—I don't know the exact amount, but it was the wish of the ratepayers.

6332. Did the Council get advice from the architect that the water would not leak from the crack?—Oh, yes; Mr. Stewart was quite prepared to take a guarantee of £1,000.

6333. And it is in use now?—Oh, yes, during the whole summer.

6334. And no fresh cracks yet?—No.

6335. And do you anticipate them when the cold weather comes on?—They could do no harm.

6336. But the fact is that it has been a very costly reservoir so far?—Mr. Stewart is not to blame.

6337. Now, in connection with the reservoir, I should like to ask another question: Just now you appeared to be angry at the suggestion that the supports of the roof went through the dam?—Most decidedly.

6338. Those are things very likely talked about while they may have no truth at bottom, but I think it is desirable that you should answer questions about them?—Quite so.

6339. About £1,000 worth of cement was condemned by the engineer as being no good?—No.

6340. It was then sold by the Municipality at a loss of about £500?—No; but the fact is, the Council got more cement than they wanted and sold it.

6341. And it was never condemned?—No; I am astonished that a Commissioner asks such questions, upon my word.

6342. It was not condemned?—No, never, and if it had been condemned it would have been due to the alertness of the engineer to see that none of it was used.

6343. Are you quite certain?—Every cask is tested in England, but the fact is that we got more cement than we wanted.

6344. You did not sell it at a loss?—No.

6345. But it is shewn in your accounts that there was a loss of £493 on the sale of cement?—They had no need to sell it at a loss; they sold it out of hand as it was held that the Council was not to make any profit.

6346. *Chairman.*] Was it sold by auction?—Out of hand to a Wynberg ratepayer.

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6347. *Mr. Gurney.*] Was he a Councillor at the time?—No, not at that time.
6348. Was it sold back by him for the use of the reservoir?—No.
6349. You don't think it is in that reservoir to this day?—No.
6350. This work was done by a contractor?—Yes, but we don't allow the contractor to get his own cement, we buy that ourselves in England.
6351. You don't know how it was that you got this surplus supply?—Well, it often happens that the supplies come quicker than you use them, besides, that is a matter which entirely rests with the Council who order these things, and if they make a mistake it rests with them.
6352. I only want to know how the Council does its business?—I am quite prepared to give that.
6353. You spoke of the quantity of water to be brought down by the pipes. Was it not a fact that the pipes could not bring all the water down?—I spoke about the lowest flow in summer—about 70,000 gallons.
6354. But the point is this: is it not a fact that the water could not come down because some particular sections of the pipes could not carry the water?—Not a word of truth in it. A Councillor did raise the question at the time but he came a cropper over it. It is all talk.
6355. But were not the pipes duplicated?—Yes, because we wanted more water, and therefore we had to get another pipe.
6356. I shall be glad if you will just give me a definite reply to the question: was it not a fact that certain sections only of the pipe were too small?—I distinctly say it is not true.
6357. The whole pipe was too small?—Certainly.
6358. Was there any blame to anybody for putting pipes down that were too small at the beginning?—Certainly not; they were laid down many years ago, and nobody ever expected that Wynberg would grow to the extent that it has.
6359. And when you duplicated the pipes you had to rebuild the supports right through?—Yes, because they could not carry the heavier pipe.
6360. They were too weak?—They were strong enough to carry a 6-inch pipe, but then when they had to carry a 6-inch pipe, and in addition a 12-inch pipe, of course they were not strong enough.
6361. And you don't think that any blame is attached to anybody for letting the Council in for the expense of duplicating the pipes?—There is no blame in the matter. We wanted more water, and we had to increase the pipes.
6362. *Mr. De Villiers.*] Under the Act of 1887 it was provided that Rondebosch and Claremont could join; could you tell us why they did not join you?—They had these powerful Albion Springs, and they considered them quite sufficient for their purposes, and they have been supplied from those springs all these years by the Water Board which was formed.
6363. Have you ever supplied them with water?—They have never asked us.
6364. *Chairman.*] Was there not some correspondence about a supply to certain ratepayers in Claremont?—Yes, there were certain places which Claremont could not supply with water, and we gave them the water as we had a higher level.
6365. And is that still going on?—Oh, yes.
6366. And you charge them the same rate?—No, as they are not ratepayers we add 25 per cent.
6367. But when the new reservoir of the Waterworks Board is finished, would they be supplied thence?—Yes; then they could get water from there.

FRIDAY, 9TH MAY, 1902.

Present.

Hon. Sir BISSET BERRY (*Chairman*).

Dr. A. J. GREGORY.	Mr. W. E. GURNEY.
Dr. A. J. ANDERSON.	Mr. T. STEWART.
Mr. LAWRENCE.	Mr. J. E. R. DE VILLIERS.

Mr. Theodore Vollmer further examined.

6368. *Chairman.*] Mr. Stewart wishes to put some questions to you?—Yes, but before you go on, I should like to make a few remarks about that cement business. Since I gave my evidence here I have seen the Mayor, who agrees with me that it was the direction of the Council at the time that the cement should not be sold at a loss. I was in favour of its being sold for the benefit of the ratepayers at the highest figure it would fetch, but a legal gentleman of high standing who was on the Council gave it as his opinion that the Council had no right to make any profit. It was, however, distinctly and plainly understood that no loss whatever should occur by the sale. Cement at the time was very scarce, and we could have sold it at a very high figure, but it was held, as I said, that that could not be done. Now, if it is a fact that there has been a loss of £499 on the sale, then there must have been some corruption or something wrong. Our Mayor agrees with me in the very strong opinion that the matter should be traced. That would be a contravention of the clear resolution of the Council that it should be sold at what it cost, and if that amount of money has been lost, it could not have happened without the connivance of our Town Clerk, or at all events, of someone. The gentleman who was a ratepayer when he bought the cement is now a Town Councillor, and for the sake of this gentleman—Mr. Allan—also it is most necessary that the matter should be cleared up; we cannot pass that over, but we will have to trace it, and I would therefore ask this Commission to be so good as to appoint someone to investigate the matter very minutely. Both the Mayor and I are prepared to render every assistance in our power to bring the matter to light. We do not allow in our Municipality any jobbery, and if there is any one there who has been guilty of it he should not remain. If, on the other hand, Mr. Gurney's questions are based on wrong information, it is equally due to the ratepayers and all concerned that the matter should be cleared up. I should for these reasons be very pleased if someone—even Mr. Gurney himself—could be appointed to investigate the matter.

6369. *Mr. Gurney.*] Do I understand, Mr. Vollmer, that you deny that there was a loss?—Yes, I saw the Town Clerk on Wednesday evening and he said that there has not been a penny loss.

6370. *Dr. Gregory.*] What do you mean by saying that you cannot make a profit? Surely stores sold by a Local Authority should be sold at the highest obtainable rate?—That was my view; but a lawyer who was a Councillor at the time held that the Council had no right to make a profit. I may say that since then we have not gone according to that ruling but we have insisted that such stores should be sold by tender.

6371. Then that cement was supposed to have been sold at the price at which it was invoiced to the Council?—Yes, and it was sold to Mr. Allan who was not a Councillor but a ratepayer at the time.

6371(a). How came this ratepayer to get the option to buy the cement as against anyone else?—Quite so; I don't like it myself.

6372. *Chairman.*] It was not sold by auction?—No; out of hand.

6373. *Mr. Gurney.*] But you are sure there was no loss?—No.

6374. *Mr. Lawrence.*] Who was it sold to?—To Mr. Allan, who is now a Councillor but was not at the time.

6375. But he was not a Councillor at the time the sale took place?—No.

6376. *Chairman.*] With reference to what you said the other day that only two-thirds of the Wynberg houses are receiving a water service?—Are connected with the water system, I said.

6377. I should be very glad if you would ask the Town Clerk to communicate to the Commission as closely as he can the style of houses that are generally unconnected;

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for instance, how many houses there are above the value of £500 and how many there are below the value of £500, and in each of these classes the number that are unconnected?—The position is this: Wynberg has a very extended area and our mains are only laid in the more densely populated parts. But of course where the people are long distances away, such as perhaps ten thousand yards, we are not able to connect them until the parts become sufficiently thickly populated, and the consequence is that they are still using the wells.

6378. I quite understand that; but will you make a note of it, and perhaps your Municipal Clerk will let us have figures on those points?—Oh, yes, the Engineer could give that.

6379. That is to say the number of houses that are on the roll, valued at over £500 and below £500, respectively, and the number of each class connected and unconnected?—Yes.

6380. He might add some explanation, make some kind of report, as to the reasons, and so on?—Quite so.

6381. Do you supply any water to the military camps there?—They have the right to use 40,000 gallons a day—that is our agreement with them; but as a matter of fact they don't use that quantity.

6382. In consequence of what have they that right?—According to an agreement which was entered into.

6383. When?—Some years ago, and we have always renewed it.

6384. Do they pay you for that?—Oh, yes.

6385. How much?—I think they pay the same charge as the ratepayers.

6386. Is it a meter supply?—Oh, yes; they have their own reservoir, but the water passes through the meter. I think they pay at the rate of 1s. 3d. per thousand gallons.

6387. Would you perhaps verify that by reference to the Town Clerk?—Yes.

6388. And perhaps the same as to the quantity actually supplied?—Quite so.

6389. Well now, do you supply the Railway Department?—We are supplying the Railway Department.

6390. With how much?—We have been supplying them only lately when they could not get their supply from Claremont, and I think they get between twenty and thirty thousand gallons a day.

6391. At the same price at which you supply to the ordinary consumer?—I think so; they have their price fixed by the Act.

6392. Perhaps you would make a note of that also and get us the quantity supplied and the rate charged to the Railway Department?—Yes.

6393. With reference to your public Institutions and Hospitals, do you charge them for water?—We supply every Institution, including the schools, with 100 gallons a day free of charge.

6394. Have you ever given any free grant of land in Wynberg for school or hospital purposes?—Not that I know of.

6395. Or made a grant of money to buy land for a school or an hospital?—Not to my knowledge.

6396. Then has every such Institution to buy its own land?—Yes; we cannot give our land away for such purposes.

6397. Not for a school or a hospital?—Well, we have no site suitable for such purposes.

6398. Have you no schools?—Yes, but the Municipality never owned sites which would be suitable for such a purpose.

6399. *Mr. Gurney.*] But as a contribution to the Wynberg Hospital you give them water free?—Oh, yes, and we perform all the sanitary work for them free of charge as well as for the schools.

6400. *Mr. Stewart.*] When you joined the Council, were there any Councillors on the Board who had been Councillors when the original Waterworks were constructed?—Mr. de Kock was the only old member, but whether he was on the Board at that time I cannot say.

6401. Are there any members on the Council now?—I am the oldest member on the Council at present.

6402. Then when you came on the Council you took a considerable interest in the question of the water-supply, and as the other Councillors were not *au fait* with the question, you made it your business to work up the whole history of it?—I did; I worked a lot for that water.

6403. And having acquired this knowledge which the other Councillors did not possess, they were guided to some extent by your superior knowledge in regard to the increase of the works?—Well, of course as long as they saw that my proposals were tending to the advancement and benefit of the ratepayers they were led by me.

6404. In other words you took pains to ascertain the true state of affairs?—Yes, there are few matters connected with the Waterworks that are not within my knowledge.

6405. Could you tell us briefly how it was that Wynberg got a supply of water from Table Mountain?—I have already stated in my evidence that the first steps were taken before my time, and therefore I could not speak from personal knowledge, but can only give hearsay.

6406. You will admit that the catchment on Table Mountain area was split up between Cape Town and Wynberg?—Yes, that is a fact.

6407. In addition to the share of the catchment area which Wynberg got, Wynberg bought the Orange Kloof farm below the piece of ground given by the Government, and containing a far larger supply of water than the little piece of Crown land handed over?—As I have already stated, both the rivers run through our farm, and they both have their origin where this ground was split up, and the Government gave the main river to Cape Town, and only a small one to Wynberg.

6408. The result of Cape Town's action was that the water was diverted on the upper part of the mountain and led away to Cape Town, so that it ceased to come through Orange Kloof?—Yes; and it is the very piece of ground which has been taken for the construction of the Woodhead reservoir that belonged to the Orange Kloof farm. If the Wynberg Council had not handed that over to Cape Town, the latter would not have been able to construct its tunnel.

6409. But the water available from the other pieces of Government land continued to flow down to Orange Kloof and formed one of your feeders?—Yes.

6410. What happened? From your own knowledge, is there a large stream of water running from this piece of ground on the mountain in the summer time or does it dry up completely?—Not a drop runs; in fact it takes a good soaking rain before any water shows at all.

6411. Therefore the piece of Government ground given to you is of no value to you whatever as a Council in supplying water in the summer?—None whatever.

6412. The main source of your supply is derived from the springs on Orange Kloof farm?—Yes, and the two rivers running through it.

6413. The whole of the water that you diverted to Wynberg rises on your own property?—Yes; we led it away from there.

6414. That is before any storage works were completed?—Yes.

6415. Now you have given it in evidence that the gaugings of the springs in Orange Kloof gave a minimum summer supply of 70,000 gallons per day?—Yes.

6416. Is it within your knowledge that the run of these little streams and springs is largely augmented by small rainfalls in summer?—Yes, the least little rain makes it run strong and increases the supply.

6417. Now as comparing this with the piece of ground you have on the top of the mountain where your storage reservoir was constructed, what is the state of things?—There even, if we have a fairly good rain in summer, not a drop is added on the mountain, whilst in our own area all the slopes of the mountain being of course nothing but stone every drop runs down into both these rivers and they come down very strongly. The least little shower increases our supply there.

6418. So that the catchment area which feeds your storage reservoir yields no water from the rainfall in summer whilst your catchment area below that reservoir yields a considerable quantity?—Yes.

6419. Shortly after the works were completed for Wynberg, do you remember whether it was the experience that the run in summer was sufficient or not?—I came to Wynberg in 1891, and in that very summer I laid out a big garden and used a good deal of water, but they very soon stopped me, and since then I took up the question of the water supply, and then the first reservoir was built on the mountain to hold 11,000,000 gallons in order to add to our supply during the summer time.

6420. We are coming to that. Very shortly after the works were put into working order the demand for water was so great that the dry weather run in Orange Kloof Farm was not sufficient?—I would not say shortly after, but perhaps within 3 or 4 years.

6421. Then the Council decided to augment the supply by storage?—Yes.

6422. And they built what is known as the Lower Storage Reservoir?—Yes.

6423. This Storage Reservoir is built on the Government ground to which I referred?—Yes.

6424. And is fed by winter rains?—Yes.

6425. What do you do with that reservoir; how do you work it?—Well, if you would read my Mayor's Minute, that would explain it. Gradually as the summer goes on the springs run less and less. First we get perhaps 250,000 gallons per day, and it

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may happen that the very following day we come down to 220,000 gallons, and then we begin to feel that the water is not sufficient to allow us to use it for the gardens. After that we start gradually to take water from the reservoir from time to time. As soon as the rain comes however a great difference is made at once.

6426. You simply supplement the supply from Orange Kloof from the Storage Reservoir as the summer advances?—Quite so.

6427. And the quantity you take from the Storage Reservoir entirely depends upon the proportion which you get from Orange Kloof?—Quite so; if it is a very hot day we lose a lot by evaporation.

6428. This dam for impounding the water was designed to admit of its being raised higher?—Yes.

6429. Was that increase proceeded with in accordance with certain advice which the Council got?—That was before my time.

6430. As a matter of fact it has not been increased?—No.

6431. That reservoir served you for a number of years?—Yes.

6432. When you found that further storage was necessary?—Yes; then the question was raised as to whether we should raise the lower storage reservoir or build one higher up. I was strongly in favour of building another higher up, which was done.

6433. Now you have two storage reservoirs?—Yes, one above the other on the mountain.

6434. I think you gave us the total quantity that the storage reservoirs will hold?—34,000,000. The lower one 11,000,000 and the other 23,000,000. And we are now going to increase the lower one up to 52,000,000 gallons.

6435. Had Wynberg been in a position to build one large reservoir from the first, would you say that the two would have been built all the same?—I could not say; but I think they would have been built all the same, because Wynberg would not have gone in for a huge reservoir which could hold a quantity of water far in excess of their needs unless they had customers for the water. They could not expend a large sum of money and have a large surplus of water which brought them no return.

6436. But supposing you had been able to float a company with some other town or municipality, with whose assistance you would have been able to construct bigger works, would you not have done so?—I could not say.

6437. There is no doubt that Wynberg proceeded tentatively?—Yes. I advocated at the time that if the other suburbs would take the water from us we could construct big works, because we had plenty of water, and if we could get consumers for the water, we were and are still prepared to incur the cost of the construction of the necessary works.

6438. Now you find that with your ever increasing demand, you must augment to a further extent?—Yes.

6439. And you are going to increase your lower reservoir?—Yes.

6440. But the increase is not to the amount originally contemplated?—No, I think it is a little less.

6441. And the Government has agreed to give you an additional piece of Crown land to make certain that this reservoir would be filled?—Yes.

6442. *Chairman.*] Is there any condition attached to that grant?—No, we have paid the Government for it

6443. *Mr. Stewart.*] And you will get about 52,000,000 gallons?—Oh yes, that is all that we can take, not in summer but in winter.

6444. You don't know the whole of the resources for which the works as originally designed were constructed for permanent water to Wynberg?—No.

6445. Only you do know the capacity of the pipes?—Yes.

6446. How much they were designed to carry?—Yes, they brought in 330,000 gallons.

6447. Was it not 320,000 gallons?—Yes, somewhere about that.

6448. These pipes were designed to deliver that quantity in 1887?—Yes.

6449. And have they continued to do so until last year?—Yes.

6450. But have you made experiments to ascertain what their discharging capacity is at present?—They never run full now. The water is distributed between the two pipes.

6451. But if the water is available at the other end that pipe will still discharge 310,000 per day?—Oh yes.

6452. *Chairman.*] What was the need for putting in another pipe?—Because the one pipe only carried 320,000 gallons, and our consumption is about 500,000.

6453. *Mr. Stewart.*] Now the works as originally designed have fulfilled the purpose which they were said they would fulfil?—If the ratepayers would not take

water for their garden those pipes would be sufficient still, be we wanted an additional supply for the gardens for the summer time.

6454. Is it with your own knowledge that one part of this pipe line discharges more water than the other?—No.

6455. Then the suggestion to that effect contained in a question asked you the other day is utterly wrong?—I don't know what led to it. It is so plain; one portion has an 8-inch pipe and I have not seen any difference.

6456. The short and the long of it is that the scheme as originally designed supplies the quantity of water for which it was intended to carry?—Yes.

6457. But as your consumption increased, you found, after two or three years, that you must augment your supply to Wynberg?—Yes.

6458. And you as a Council decided to construct certain works?—Yes.

6459. Will you describe them shortly?—The works on the mountain have been described already, and as the one pipe could only carry 320,000 gallons we decided to have another, which should carry one million gallons; we did that with an eye to the future. Mr. Stewart advised us to take up the one pipe, but we would not do that, and we have got both, the one carrying one-third of a million and the other one million, so that we can bring in from the intakes one and a third million gallons.

6460. But in the dry season you have not got one and a third million gallons available at Orange Kloof?—No, not stored.

6461. So that Wynberg will proceed as it has proceeded hitherto, and construct additional storage or other works to augment the supply as it should be found necessary from time to time?—Yes.

6462. Then there is the question of the piers: from my point of view it has nothing to do with this Commission, but a pier designed to carry a 6-inch pipe would scarcely be expected to carry a 12-inch pipe?—If you will refer to question No. 6360 in my previous evidence, you will see there that I gave the following answer: "They were not too weak to carry a six-inch pipe, but then when they had to carry a 6-inch pipe and in addition a 12-inch pipe, of course they were not strong enough."

6463. Therefore if you had carried out my recommendation for a single pipe, the piers might have been utilised?—Yes.

6464. But the Council decided to spend more money to get two pipes?—Yes.

6465. They could afford to do so, and they did it?—Yes; we thought it advisable to do so.

6466. Then it is within your knowledge that a great many rainfall observations have been made round about Orange Kloof since the works were started?—Yes.

6467. And about a year ago that same question arose as regards the capacity of Orange Kloof to supply additional water, and in connection with which you admitted the other day I had given you some suggestions?—Yes.

6468. The gist of the suggestions was that Orange Kloof could yield, in the driest year hitherto recorded, about 2½ million gallons per day over and above the 1¼ million gallons which you could carry by the existing works?—Quite so.

6469. Of course this is only the quantity of water that can be stored as the water does not run in the dry season?—No, only in winter.

6470. This is in short an estimate of the quantity of water which could be derived from the area, based on the experience which you had of the existing storage reservoirs and of course my own knowledge of Table Mountain?—Yes.

6471. At what point in Orange Kloof can this water be made available?—I think the idea was to construct a large reservoir at a point where both these rivers—the Disa and the Main Rivers—meet.

6472. A reservoir could be constructed there and it takes a very large catchment area?—Yes.

6473. Could this water be led in by gravitation into your existing main?—No.

6474. It is about 350 feet below?—Yes, I put it into my Mayor's Minute in those days that the water could be pumped up.

6475. But you can either pump it into the existing main or you can construct a tunnel which would give you the water at the same level as the existing reservoir?—Yes.

6476. And it would give you 2½ million gallons over and above your 1¼ million gallons, and that would be a supply available for the other suburbs?—Quite so, and for ours in the future.

6477. *Chairman.*] Am I to understand that if you store all the water running off your catchment areas you could have a supply of about 4,000,000 gallons per day?—3¾ millions.

6478. So that 2½ million gallons of water are running to waste at the present time?—Yes, even more, about 3 million. Of course it is only in the winter that it runs away.

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6479. *Mr. Stewart.*] And all this water can be acquired from the high precipices on both sides of the farm ?—Yes.

6480. You don't require a single yard of Crown land to enable you to construct the reservoir ?—No, not an inch

6481. Could this quantity which I have stated to you be augmented ?—You mean further augmented ?

6482. Yes.—That I don't know.

6483. There are other slopes outside Orange Kloof; that is to say Government ground ?—Oh yes, our farm is enclosed round about by nothing but mountains, and the water simply comes rushing down. It has no time to soak away.

6484. So that provided you could get power to take water from other catchment areas than those you hold now, the additional quantity of water which could be made available in Orange Kloof would exceed 2½ million gallons ?—I daresay, but that is a question I don't know much about.

6485. You gave evidence in connection with the service reservoir ?—Yes.

6486. Do you happen to remember the cost of the first service reservoir ?—No.

6487. Would you accept the statement that it cost £2,000 ?—Oh, certainly.

6488. And do you know its capacity ?—Something like 210,000 gallons.

6489. *Dr. Gregory.*] And cost £2,000 ?—Yes.

6490. *Mr. Stewart.*] It is constructed in concrete and vaulted over with concrete—constructed as a service reservoir ought to be constructed ?—Yes.

6491. Then the question was repeated as regards the cost of the additional service reservoir; now how does the cost of the additional service reservoir, putting in everything, compare with the cost of the first service reservoir ?—Even with all the expense we have had since then I think it compares all right.

6492. Now had the additional service reservoir been built on the same design as the first one it would have cost £18,000 instead of £13,000 ?—Yes.

6493. So that the suggestion that the first reservoir is so very expensive is really all bunkum ?—Of course we do our best for the ratepayers, and as long as we continue to do so to their satisfaction we cannot do more.

6494. *Dr. Gregory.*] What is the capacity of the second service reservoir ?—Eighteen hundred thousand gallons.

6495. And it cost how much ?—£13,000. I must say if we had to build that service reservoir to-day we would not build it for the same money as it cost us.

6496. *Mr. Stewart.*] As a matter of fact you were advised to build it differently to what it is built, but you did not care to spend the money ?—No, we would not have gone to the extent of £18,000. As a matter of fact we would not have roofed it at all but we were afraid that some soldiers might come in the evening and have a plunge into it, and so we put on a cheap roof.

6497. Is it a fact that the supply of water in some parts of Wynberg is slightly deficient in summer ?—Well, it was not in the beginning, and it is not now, but of course sometimes the water runs weaker, because for instance in the morning everyone may simultaneously want to fill his bath, and you cannot expect the mains to carry it all. The fact is that our ratepayers have been spoilt in regard to their water supply, and that is the reason why the men in all the other Municipalities say they prefer to live in Wynberg.

6498. Have you studied the various returns, and do you happen to remember what the additional distribution scheme was designed to supply throughout Wynberg ?—I don't know, as I did not go into the matter. I only deal with practical figures, but I take no interest in technical figures.

6499. You don't know that the quantity of water for the original distribution was 160,000 gallons per day ?—Yes, but then additional pipes have been laid down. The old main was a 6-inch and the new main is a 10-inch main.

6500. Then as your supply increased, you had to increase your distributing mains ?—Yes.

6501. But there are sections where distributing pipes have not been laid, I mean to meet all requirements ?—Oh yes.

65 02. You lay these as they become necessary from time to time ?—Yes.

6503. Can you tell us shortly the mode of supply to the ratepayers of Wynberg; do you supply by the dribble system ?— No, every ratepayer has the full force of the water from the mains, and of course if everyone draws at the same time the water will run a little slower. We have a system which is different from other Municipalities. When a request comes in for water, then we base the supply upon the value of the house. If the house is of a value up to £200, then we charge 10s. a quarter, and 1s. additional per £100, after that according to the value up to £2,000.

6504. Could you put in a copy of your rules and regulations ?—I believe a copy has been put in.

6505. In the case of a small house, I understand that you supply direct even without a profit?—Yes.

6506. But in case of a large house, or of a house with a large piece of ground, you insist on a meter?—Yes, we found it advisable even to have meters to every house in the future because we look forward to the drainage scheme, and when that is in force we think it would be unwise to supply the water without a meter, because it might lead to unnecessary waste.

6507. In other words, you consider that the supply by meter is the proper system for Wynberg?—The only correct system.

6508. How many meters have you in use altogether?—I could not say.

6509. Could you supply us with the number of meters?—Yes, I will make a note of it and have it supplied to the Commission.

6510. Going back to the storage, we have had some hearsay statements that some of the springs at the lower part of the mountain have been increased by percolation from the Table Mountain reservoir; and statements have been made that the springs below the Wynberg reservoirs have been increased. Are you aware of any loss of water from that source?—From our Reservoir?

6511. Yes.—No. And we could not have gained much in any case. If the water runs away on the mountain, then of course our springs would increase.

6512. The Orange Kloof springs are nearer to the storage reservoir than the other springs on Table Mountain?—Yes.

6513. And assuming that there has been some leakage, the most likely spot for that leakage to appear would be in your own spring?—Yes.

6514. But, as a matter of fact, there has been none?—I don't know of any.

6515. But, to put it mildly, it is all twaddle that it has increased from that source?—Well, I don't know of any increase.

6516. Coming to the question of cement: you have stated that you are going to put in full details, or at any rate you have given the Commission full power to do whatever they like?—Yes.

6517. From my point of view, this is not a question which has been referred to the Commission; it is simply some reckless talk by both sexes of the people?—Well, what I did not like was the way it was put, because I have nothing whatever to do with jobbery.

6518. As a matter of fact, you import all your cement for your works?—Yes.

6519. But it has happened now and then that through your cement being hung up for a time in Table Bay and elsewhere, you have had to get cement from Cape Town?—Oh, yes, we have bought from the Cape Town Council, but never from local men.

6520. Why is it that you buy from the Cape Town Council only?—Because their cement is tested. Our first reservoir was built by a contractor who supplied his own cement, and we see the difference to-day; since then we have imported our own.

6521. Your cement is made specially for you?—Yes, for the purpose.

6522. Then you approve of the system which the Council has followed for a number of years, that instead of buying uncertain cement for important works, like storage reservoirs, they import it according to their own specifications, and sell it to the contractor or give it to him?—Yes, it is beneficial in two ways: not only do we know that we have good cement, but we also know that the contractor has to put in the quantity we send to him. Cement cannot be done away with on Table Mountain.

6523. On no occasion has Wynberg bought cement from a private firm for the use of their reservoirs?—Not to my knowledge.

6524. *Chairman.*] About the meter rent; if you look at Question No. 6166, you will see that you stated there that the charge was 12s., and in Question No. 6169, you say that the first thing you did when you got into the Council was to reduce the meter rent from 6s. to 3s.; there seems to be some discrepancy?—The 3s. is the charge per quarter.

6525. Now I think you said that about 2½ million gallons of water was running away to waste from Orange Kloof farm that might be utilised; has any estimate been supplied to you of what the cost of the storage works would be for that water?—No, we have not applied for it; we have had it before the Council, but we saw at once that it was such a huge undertaking that we could not go any further into it.

6526. Suppose a storage reservoir was put up there to conserve the water, how far would it be from Kalk Bay?—I don't know.

6527. Twenty miles?—I don't know.

6528. You must have gone over that part?—I don't know how the country cuts that way; it might be ten or twelve or fifteen miles.

6529. But you don't think it would exceed fifteen miles?—No.

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6530. How far would it be from Simonstown?—That could be arrived at by adding the difference between Kalk Bay and Simonstown, but I don't know the distance myself.

6531. Well, here is water running to waste, and there are the towns that are in want of water?—But they have got water there.

6532. Excuse me?—Well, I don't know; I don't think it would be wise to supply them with that water.

6533. We don't ask a question as to wisdom; we can think that out for ourselves. We want to know the distance?—Well, about 15 or 20 miles.

6534. *Dr. Gregory.*] You say that there has been a large number of rainfall observations taken of the water from the Orange Kloof farm during past years?—Yes.

6535. Have you got these observations available?—No; Mr. Stewart has got them.

6536. Could the Commission be supplied with them?—We will ask him for them.

6537. Are they the property of the Council?—Oh no, we never paid for them. They are the private property of Mr. Stewart.

6538. Then you say that as a result of these rainfall observations 2,500,000 gallons of water could be obtained per day from that area; now, is that the average that you will get per day?—Well, as I said before, all the suburban Municipalities will never use as much water in winter as they will in summer.

6539. Is that 2,500,000 gallons the quantity you could get on the average, summer and winter?—So the Engineer says.

6540. Then what is the lowest that you will get?—Nothing in summer.

6541. For how many days will you get nothing?—It varies continually, but I think on the average for 100 days we would get nothing.

6542. What capacity would your reservoir at Orange Kloof have to be?—I am not an engineer; that is not my business.

6543. I understand; all you at present know is that you could get a supply of 900 million gallons a year?—Yes, I should say so.

6544. But the number of days for which, and the amount which you would have to store in order to secure that supply, you don't know?—No.

6545. But the utilisation of this water really depends on the adoption of one of two things: either pumping or the construction of a tunnel?—Yes.

6546. I presume that pumping cannot be considered as it would cost too much?—The matter is this: that if the water is to be used for Wynberg alone we will have no option but to do the pumping, because it would not do for us alone to build a tunnel. Unless we had a scheme by which we could sell the water to other parties we could not construct a tunnel as it would not pay the interest.

6547. What would the pumping cost approximately?—I don't know.

6548. What would the tunnel cost approximately?—We have no details. It was given to us roughly; but we saw that it was too big a thing, and we therefore did not entertain it.

6549. Then it comes down to this that your Orange Kloof farm is not of much use to you as a Municipality unless you combine with some other local authority in order to make it worth while to spend the necessary money on it?—Oh, no; it is worth a lot to us, because we could pump the water up, but of course we could not make it as payable a concern as when we are combined. I say that within the next forty years we shall require every drop of the water ourselves.

6550. But in order to make use of it the same expenditure would be necessary?—Yes, but it would be utilised in the most economical way.

6551. Taking the figures you gave us in regard to your two service reservoirs we find that the first one of 210,000 gallons capacity runs out at a cost of about 2·3 pence per gallon capacity and your second one at a cost of 1·7 penny per gallon. Now, as a general rule a large reservoir costs less than a small one?—You base your figures on our service reservoir and not on our storage reservoir. You cannot do that because——

6552. No, but allow me; a comparison was drawn just now between the cost of your first and your second reservoirs?—Oh yes, I see the point; of course a bigger one is always cheaper, but we don't look to that, we study our convenience.

6553. With regard to that cement, I understand distinctly that that was surplus cement, not damaged cement?—That is so.

6554. Were any further supplies bought after selling that?—Oh yes, we are always getting supplies from England.

6555. What was the advantage of selling this?—We had no storage. If suddenly a lot of cement is thrown upon you and you have no storage it becomes a very expensive thing.

6556. Then it was not exactly surplus cement?—It was a temporary surplus.

6557. Then was the question of the advisability of retaining this cement gone into?—It was considered advisable to sell it because we could always replace it at the same cost, and the resolution of the Council was to sell it at cost price.

6558. Then it was sold in order to save storage?—Yes.

6559. *Mr. Lawrence.*] And interest?—Yes.

6560. *Chairman.*] Have you anything further to say about the Orange Kloof water conservancy, except that you would be strongly opposed to a proposal to share that water, which is now running to waste, with any other Municipality?—Well, Mr. Chairman, in my opinion, if you will give me permission to say so, there is no doubt that all these schemes will gradually have to be taken up. Ultimately the Steenbras scheme or Oliphants Hoek scheme would have to be taken up. It is impossible for Wynberg or any of these other one scheme to supply all the different suburbs. My idea is that each Municipality should develop its own resources. Let Wynberg develop its resources and let all the other Municipalities develop their resources, because then a basis could be arrived at as to what it cost each Municipality. When that is done I consider the time has arrived to go into the question of the amalgamation of the supplies.

6561. But the point is this: that at present 2½ million gallons of water are running to waste which can be stored?—But we will have to sell it.

6562. What we say is this: here is a large supply of water running to waste at the present time, and it will take a long time before your Municipality can develop so far that your consumption will be five times what you require at present?—Yes, but we will require it afterwards.

6563. So the question arises, can some means be adopted for utilising that water in the near future?—I really do not see how the Commission is to arrive at an equitable basis when there is no idea as to what it will cost.

6564. We have to look for a future source of supply?—I don't blame you, but I only fight my own battle.

6565. Look at it from this point of view: the Commission has to report to His Excellency the Goveror on sources of future water supply for the Peninsula?—Quite so.

6566. Now we find that here is a possible supply of 2½ million gallons which is running to waste?—Quite so.

6567. For what reason should the Commission not recommend that this water should be utilised?—Well, you may use it if you will undertake to give it back to us ultimately.

6568. We are willing to consider all that?—If you use it temporarily, we will have no objection; all we want is to get it back ultimately.

6569. Now don't you see that that bears very much on the question of amalgamation?—Quite so.

6570. Because if you had one Municipal Council superintending the whole of the water supply, such Council will naturally see that anything that is taken away which would injure Wynberg was given back to it?—Well, I don't know.

6571. At any rate there is the broad fact that a very large quantity of water is running to waste, amounting to about 1,000 million gallons a year, and Wynberg cannot afford to construct the necessary works to conserve it, while the other Municipalities are suffering from a want of water?—But we can pump up the water.

6572. *Dr. Gregory.*] But that is very expensive?—It is only a matter of comparative expense. If the Suburban Municipal Waterworks can pump we can pump also. We will see that we can meet that expenditure.

6573. *Mr. Stewart.*] Do you think that Wynberg would be averse to bringing in any water from Orange Kloof for the temporary supply of the suburbs?—No, I don't think so.

6574. But when your requirements, including those of Constantia, became so great that you could not supply it to the other suburbs the water would revert back to you?—Yes.

6575. And by that time the other Municipalities might have completed their own schemes?—That is a feasible proposal, I think. We only want to keep a hand on our own property, but we will have no objection to the water being used temporarily for the other Municipalities provided we are paid for it. We have no desire to stand in anybody's way.

6576. *Chairman.*] No levels have been taken, and you could not give us any information as to the limits of supply from a storage reservoir on Orange Kloof farm?—All our reservoirs are very much higher than those of the other Municipalities, and I know that we could supply all the suburbs. From the second one on our own farm we could supply all the other Municipalities.

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6577. Have you got any statement as to the altitude above the sea level of such a reservoir in Orange Kloof farm?—The one intake comes to that high reservoir in Wynberg, and the difference between that intake and where we want to put the other reservoir is only very little.

6578. I want to know whether any observations have been made as shewing at what altitude above sea level such water can be stored on the Orange Kloof Farm?—Mr. Stewart has that. I will ask him and hand in the report.

6579. The figures have been determined then?—Yes, it is about 400 feet above sea-level.

6580. Is that the proposed level of the storage reservoir on the Orange Kloof farm which is to hold the ten hundred million gallons which are running to waste?—Yes, between 350 to 400 feet above the sea level.

6581. *Dr. Gregory.*] And the present service reservoir is?—390 feet.

6582. *Chairman.*] To reach that storage reservoir, which is to be 350 feet above sea level, has the water to be pumped?—No, it would run in by gravitation through a tunnel of course.

6583. *Mr. Stewart.*] I think it has been suggested to you that a careful investigation should be made of the site of the whole scheme?—Oh yes, the whole thing would have to be gone into; we only roughly went into it, and when we found it was such a huge business, we dropped it.

6584. *Chairman.*] All you know is that the water is there?—Yes.

6585. Well, now on the subject of drainage and sanitary system: With regard to your stormwater drainage, are you troubled with that just now?—Well, we are so favourably placed that I am getting quite ashamed to bring up all our natural advantages, but as it happens we have a running river through our Municipality, which takes away all the stormwater practically.

6586. What is the name of the river?—It is not really a river, it is a natural brook which rises in our park.

6587. You mean that that was the natural water channel formerly?—Oh yes.

6588. Where does it run into?—Into the Diep River.

6589. Is it kept in a fairly good sanitary condition?—I think so.

6590. Does the Municipality look after it?—Yes, after a portion, because it runs through private property, as for instance, it runs for a considerable distance through the property of Mrs. Farmer, and she will not allow us to come in there.

6591. Does it run along any streets, or do streets cross it?—Oh, yes, in many places.

6592. Are the streets bridged?—Oh, yes, mostly.

6593. It is not used for the purpose of a sewer at the present time or as a channel for sewage?—Oh, no, only for water. In former years the water was used by the Military. It was their sole supply; and now we have laid pipes, and we draw the water for watering our streets and so on. I think we use something like 20,000 gallons a day from there, which quantity we save from our other supply in summer.

6594. It is not used by the inhabitants for drinking purposes?—No.

6595. Do any of the inhabitants dip water from it?—Well, they will, I suppose, take water from it.

6596. For their domestic purposes, I mean?—Yes, I suppose they do, but I have always tried to bring it home to them that it costs them more to fetch this water from the brook than it would cost them to take water from our supply, which would give them taps on the premises.

6597. But certain inhabitants do use it?—There might be some, yes.

6598. Do you know of any evil effects arising from that?—No.

6599. Would it not be more subject to pollution?—We would not allow it if we an help it.

6600. But can you help it?—We do help it, and have helped it.

6601. You really don't know what is done where it is passing over private property?—If we find any pollution we have full power to stop that at once.

6602. Yes, but you say you have not access to this channel on private property?—If we find it out we will soon put a stop to it.

6603. What means have you to find it out?—We have Inspectors who go around.

6604. Has the water of this stream as used by the people for domestic purposes ever been analysed?—Whenever we find sickness then the first thing we enquire into is where they get the water and then we have that water analysed. In one or two cases we found people taking water from wells and we were forced to stop them, but to my knowledge I don't know that there are people taking water from the brook, because as a matter of fact, in summer it does not run—it only runs in winter—so that naturally no one would look to it for their water supply.

6605. Well then, at the present time what system of sanitation have you?—Our present system is to remove it in pails.

6606. You have the collecting system?—Yes, and the Municipality does the work free of charge.

6607. You mean it is included in the rate?—Yes, and the whole Municipality is divided into sections.

6608. Have you a contractor for the purpose?—No; our own people do the work twice a week; every pail has to be cleaned twice a week.

6609. How many houses have a service in that connection?—Every house.

6610. Is that compulsory?—Oh, yes.

6611. All the 1,500 houses?—2,400 houses; the 1,500 houses are the houses connected with water. There are a few houses still to be brought into our sanitary system. They have the cesspools and we have no power to close them, but we can prevent new ones being constructed.

6612. How is it that you have no power to close them?—The Act has not given us the power. We could prevent new ones being put in, but I don't think we have any power to close those which are in use; but we close them as far as possible.

6613. And the owners object?—Some of them do, yes.

6614. What does this cost you?—About £4,000.

6615. And that is included in your rate?—Yes.

6616. Do you provide these pails?—Yes.

6617. And the cost of that is also included?—Oh, yes, everything, we don't charge a penny. I must say it was formerly so that a charge was made, but I was a bit of a revolutionary character, and the first thing I did was to introduce the system now in vogue. Formerly they used to charge the people, and then the people would wait until the pails ran over before they put in a request for removal, for which they had to pay 6d. And of course the tax falls principally on the bigger owners, and I got all our intelligent ratepayers to take the view that we would rather suffer pecuniarily in order to carry that through. And I can again say that the poor people do not even pay for their sanitation.

6618. Have you attempted any dry earth system?—A few people have tried it, but it gives such a lot of trouble, as you have to do such a lot of carting away.

6619. Do you allow any individual householders to arrange their own removals?—Oh, yes.

6620. And do some do that?—Yes. I did for a time myself, but I gave it up.

6621. Were you in the Council in 1898?—Oh, yes.

6622. Do you know about a certain Act of Parliament that was passed in that year making provision for the Municipality of Wynberg to borrow a sum of £60,000 for drainage purposes?—Yes, Act No. 27 of 1898.

6623. How much of that money has been used?—£17,000; £7,000 we paid for the purchase of the farm and £10,000 we spent for other necessaries.

6624. You bought a farm?—Yes, land for the septic tank system.

6625. Who advised you?—Oh, Mr. Stewart.

6626. Did you buy the land in consequence of advice given to you that such land was available?—I will explain. We first found out that the whole area at Princess Vlei was suitable for the purpose.

6627. Did you refer the question to Mr. Stewart, and did he advise you to buy this place?—No, but he said in a general way that the whole area would be suitable.

6628. *Mr. Gurney.*] We would like to get at the beginning of this matter; did it not start in 1882?—No, that was another scheme.

6629. *Chairman.*] Did the Council first cast their eyes upon this land, or did Mr. Stewart first cast his expert eye upon it?—Mr. Stewart did. I asked him to recommend any locality which would be suitable for our purpose, and he said the whole land near Princess Vlei. We did not want to let the people know what we were doing, because then they would have charged an enormous price, so I quietly got the refusal from all the people for six months and longer. After that our engineers went and found which land was most suitable for the purpose, and then we bought that land.

6630. What is the extent?—About 70 acres.

6631. Did you buy it at a valuation, or was it by arbitration?—No, we got the option.

6632. The Council did?—I went personally and worked through agents and in all kinds of ways.

6633. £7,000 for 70 acres; that works out at £100 per acre?—Yes, but there are houses on it.

6634. Are the houses there still?—Oh, yes.

6635. And are they going to remain there?—Oh, yes.

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6636. And the people occupying them like the neighbourhood?—Oh, yes, we let them to the people.

6637. Are you getting rent for them?—Oh, yes.

6638. And is it your view that these people should remain there after your work is finished?—Oh, no, but our workmen will go there.

6639. The idea was to lay out 70 acres as a sewage farm?—Yes.

6640. And has anything been done?—No.

6641. It remains in the condition in which it was when you took it over?—Yes.

6642. Are the pipes being laid down for the sewage?—Yes.

6643. How many miles of pipes have you laid?—About a mile, but these are enormous big pipes weighing about a ton each.

6644. Are they stoneware pipes?—No, iron pipes; we are starting from the outfall.

6645. Is the sewage simply to be filtered on this farm?—No, it is the proper septic tank system. We got that through with our ratepayers. If you wish me to start the thing from the beginning I will give you the whole explanation if you have time.

6646. I want to know the kind of disposal?—We are going to have tanks.

6647. And these tanks are to be constructed under the surveillance of an engineer?—Oh, yes.

6648. And he has given you plans for those?—Yes, seven tanks.

6649. And that is supposed to be sufficient for your population of 15,000?—Oh, yes.

6650. Are they not constructed for a larger population?—I think we can easily lay further pipes and tanks.

6651. But now there is to be a discharge from those tanks, the water and effluent must get away?—Yes.

6652. Where will that get to?—We will use all that for our farm, and it is quite pure.

6653. And eventually it finds its way where?—Into the soil, and then we grow crops.

6654. It will not go far?—No, there is too much sand; it will sink away.

6655. There is no river into which the water could run?—There is a vlei, but it will not reach there. I bought property there myself, and I am sure it will never reach there.

6656. Why not?—Because it will be soaked up by the sand, but even if it will reach there it will do no harm as we find it is perfectly innocuous.

6657. That is exactly the point you are working up to; and you propose to use the effluent for the farming operations?—Yes.

6658. And the profits will go to the Municipality?—Oh yes, but the Military will get a share of the profits. They have agreed to join us and to pay one-eighth of the expenditure.

6659. Has the Town Council a report of the Engineer on this scheme?—Oh, yes.

6660. Will you put in a copy of it?—I applied to our Secretary for a copy, but found that he had only one left, and he said he could not part with that. He had several in hand, but foolishly gave them all away.

6661. We should like to have a copy of the report and of the plans attached to your scheme shewing how it is to be worked?—Quite so; the report was printed.

6662. Therefore it is a public document?—Oh, yes.

6663. Now, what is to be the estimated cost of the whole?—£60,000.

6664. And what will you get for that?—What do you mean?

6665. What extent of pipe sewers?—All that part of Wynberg that has been arranged for.

6666. And what proportion will that be of the whole?—That I cannot tell. We would not take in all those parts that are scattered and distant. We must wait until they become more thickly populated.

6667. You cannot say how much of Wynberg will be served?—All old Wynberg, I should say—about two-thirds, leaving Diep River and that part out.

6668. And then what is to be done as far as sanitation is concerned with the other part?—We will continue our pail system until they are sufficiently densely populated to be connected.

6669. Then the people that will be sewered will have to pay a rate?—No. That was the very reason why we remove all the pails free of charge, and now those ratepayers who get the drainage scheme don't pay because those who have the pails don't pay. They are all placed on an equal footing. It will be immaterial as far as charge is concerned to a man whether he sends his slop-water and sanitary matter away by pail or pipe.

6670. But the water he will use for flushing purposes he will have to pay for?—Yes.

6671. And as far as you know the cost of the sewerage scheme will be equalised by the other?—Well, for the sanitation we spend £4,000. On the sewage scheme the estimated cost will be £60,000. The interest for that will be annually £2,400; consequently, £1,600 remain over to be used either for the pail system or for the cost of further drainage.

6672. In the neighbourhood where you will lay these sewers are you going to compel householders to connect?—Yes.

6673. In terms of the Act?—Oh, yes; but the Act gives us the right to take it in portions; it does not make it compulsory for us to lay it right through.

6674. When do you expect this scheme will be in working order?—Within 2 or 3 years, I hope.

6675. *Dr. Gregory.*] You say that you cannot abolish cesspools in your area; is it not the case that you have not got suitable bye-laws framed for the purpose?—Yes.

6676. As a matter of fact, you can frame bye-laws?—When we get the drainage, then of course we can force them to join.

6677. But you have the power to abolish cesspools if you like to frame regulations to that effect?—Yes, we have really to frame a lot of regulations, but we cannot get our Secretary to do them, and I am afraid we shall have to do them ourselves.

6678. Then I understand that there are two schemes of drainage which have been considered by the Municipality; one by Mr. Dunscombe and one by Mr. Stewart?—As a matter of fact, there are three; first there was Mr. Pritchard, then there was Mr. Dunscombe. They were employed by the Government to give general ideas, and they did so.

6679. With regard to Mr. Pritchard's scheme, what did that consist of?—I don't know; I think he wanted to carry the sewage to the sea.

6680. Have you any reports in your office?—I think they were furnished to the Government.

6681. Have you not got a copy?—I don't know.

6682. If so, have you any objection to supply it?—Oh, no.

6683. When was Mr. Dunscombe's report elaborated?—About 1891. I remember it because at that time Mr. Bisset was the Mayor and he brought it before the ratepayers.

6684. Was the scheme for Wynberg Municipality alone, or was it a joint scheme?—For Wynberg alone; and the outfall was provided for at the back of the racecourse.

6685. How did the Government pay Mr. Dunscombe? Did not the Municipality pay something?—I don't know; they might have had to pay it back.

6686. Have you any figures and report relating to that scheme in your possession?—If we have I will send them in.

6687. After that you went to Mr. Stewart?—No; the ratepayers in 1891 threw out the whole thing. I felt that it was a great wrong to Wynberg, and I meant that we should gradually prepare ourselves to have our own drainage scheme. At that time Diep River did not belong to Wynberg. The other Municipalities then took up the idea to have the scheme, and they employed Mr. Olive, I think. They repeatedly asked Wynberg to join, but Wynberg did not at first feel disposed to do so. Afterwards, however, I was deputed as Mayor to attend a meeting of the Mayors, and I found that they had the whole scheme ready. I had always taken a keen interest in the water question, and I knew all the details of the suburban water, and when I found them ready to carry out the drainage scheme, I discovered that they had not water enough to do it, and I told them so, with the result that the whole thing was hung up. After that Diep River and all that portion were added to Wynberg, and then it became impossible for Wynberg to join the others, because the portion that was added dips in a different way, so that it was impossible to bring the sewage from there into the other Municipalities. Upon that we decided to approach Mr. Stewart, and fortunately his idea was the septic tank system which I had in view.

6688. Now this last scheme of yours, will that eventually sewer the whole of Wynberg?—Well, it is so arranged that it can be added to. In the original scheme provision is made for an additional main to be laid which could take Diep River and those parts on the way lower down.

6689. But now what about the portion of Wynberg which is on this side of the Wynberg Hill?—Every bit can be drained that way.

6690. Kenilworth Road?—The whole of Wynberg can be drained that way. In Claremont, what is called the Paradise Estate, we were asked to allow that to be joined to Wynberg but we objected simply because we would not be able to drain it.

6691. And the whole of Wynberg is to drain into Princess Vlei?—Near to it.

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6692. That 70 acres that you bought, how far is that from Princess Vlei?—It goes right up to Princess Vlei, in fact forms a portion of it.

6693. From whom was that purchased?—Mr. Borcherds.

6694. They are selling building plots all around there?—Yes, the piece I bought at Zeekoe Vlei is close to that. We had the option of this Zeekoe Vlei, but we found that the ground was not so suitable.

6695. But all round Princess Vlei the property belongs to the same owner as Zeekoe Vlei, does it not?—Yes.

6696. It is all intended to be sold?—Yes.

6697. So that the building plots will come right up to your 70 acres?—Yes, but not to that portion where the septic tanks will be. I might say that the Military had to approve of this scheme and they were very particular. They agreed to contribute on the distinct understanding that we should have the septic tank system and nothing else. Their only objection was that we bought too much land. They held that 20 acres were quite enough. We replied that we thought it better to buy the larger area and that if necessary we could dispose of part of it and we would in that way reimburse them.

6698. Was the 70 acres selected by the engineer as being the most suitable portion?—Yes.

6699. And you had the option of it?—Yes, and of several other places too.

6700. Are you aware of what has been paid at public auction for plots in the Zeekoe Vlei estate which adjoins your sewage farm?—Yes, I bought some myself.

6701. You did not pay £100 an acre for that?—I paid £50 per acre. Our ground is more valuable than the Zeekoe Vlei ground.

6702. What portion of the £7,000 was paid for the buildings?—Well, we had the option from the different owners and we had to buy from them the ground including the buildings. I saw about it myself personally, and for that portion I am prepared to-day to pay 50 per cent. more myself than we paid for it.

6703. I only ask that question because I know that Zeekoe Vlei land has been sold at prices under £50.—Yes, but that is miserable land.

6704. What is the name of the system that is to be adopted there?—Septic tank system.

6705. By septic tank, do you include all bacteriological systems?—Well, I am not sufficiently up in those matters to answer such a question.

6706. There are a number of different kinds of systems?—Yes, I know; there is the Cameron system and there is the Scott Moncrieff.

6707. *Chairman.*] We will see that from the report, I suppose?—No, it was left an open question. You must bear in mind that it was in 1898, and we did not wish to tie ourselves down at the time. We wanted to gain all the experience of what was being done in England, and for that reason Mr. Stewart, who has been repeatedly to England, has gone very carefully into the matter. We wanted to have the very best system that could be carried through.

6708. *Dr. Gregory.*] Then I understand that you have not decided on any system?—Particularly on the septic tank system; but whether it is to be Cameron's or some other man's I don't know; at any rate we trust to our engineer for that.

6709. But it may make a great difference in the results and the expense as to what system is adopted?—I don't think so. I don't know that there would be such a difference.

6710. You say you have seven tanks?—Yes.

6711 How is it that you have so many tanks if you don't know what system you are going to adopt?—Well, I suppose it has been adopted. But of course you must not forget that the tanks must be used for every one of those systems.

6712. Have you had any report later than 1898?—We did not ask for one. What good would it be to us? We do not understand the thing.

6713. *Chairman.*] But that was four years ago?—Yes, but we had our favourable experience about our waterworks, so we trusted Mr. Stewart to make a success of this business also. He would lose his reputation if he did not.

6714. Since 1898 many alterations have been made?—Therefore Mr. Stewart has only decided the thing since he came back from England.

6715. Then the report is not a 1898 report?—No, we left it open then.

6716. *Dr. Gregory.*] But you have no report from Mr. Stewart since 1898?—No, we have not asked for it.

6717. As a Council you are content to appoint an engineer, and let him do as he likes?—Yes, we don't understand these things.

6718. *Chairman.*] Will you ask your engineer for a report up to date of what is proposed to be done there?—Yes.

6719. *Dr. Gregory.*] The cost of this scheme is estimated at £60,000?—Yes.

6720. And you have authority to raise a loan for that?—Yes, the Military will pay one-eighth of it.

6721. And you have already started laying out the work?—The pipes.

6722. And you have laid about a mile of the outfall pipes?—Yes.

6723. As you have laid your outfall pipes I presume that whatever system is finally to be adopted the site is fixed?—Yes, the site has been fixed.

6724. Is it a fact that contracts have been entered into for the carrying out of this work?—Yes, and the contractor is laying those pipes.

6725. To what extent have you entered into those contracts?—Only for the one section—the lower portion.

6726. Those pipes are they being laid within the Municipality at the present time?—Oh yes, the Municipality borders on the ground that we bought.

6727. This farm is outside the Municipality?—Yes.

6728. Have you laid any pipes on that farm yet?—I could not tell, but I don't think so.

6729. You then have not gone outside the Municipality?—Not as yet.

6730. Under the provisions of the Public Health Management Act, it is necessary before a Council could undertake a sewerage scheme to obtain the permission of the Minister in charge?—Yes.

6731. Has he given you his consent for that yet?—As far as I know he has never objected. I saw Mr. Graham myself and he knows what we are doing; besides he is a Wynberg ratepayer himself.

6732. As a matter of fact you are not aware that the Government has given consent?—I am not aware that they have written us a formal letter.

6733. *Chairman.*] But have you sent the plans and papers to the Minister?—Oh, yes.

6734. *Dr. Gregory.*] Is it also a fact that, under the provisions of the same Act, if you are undertaking a scheme outside the limits of the Municipality and any objection is lodged thereto by any person interested, you cannot pursue the scheme outside the Municipality without getting the permission of Government?—But it is our own private property, which abuts on the Wynberg Municipality. There was an objection lodged by one man but we have settled that by buying him out.

6735. Could you give the date when you applied for the sanction of the Government?—I will get it.

6736. Is it not a fact that this objection was lodged shortly before this Commission sat?—Oh yes, but we could not hang up the whole scheme pending the decision of this Commission.

6737. *Mr. Lawrence.*] What Commission?—This present Commission before which I am giving evidence now. And as far as I understand it, the Commission had only to go into the question raised by this man as to whether the pipes should be laid through his property or not. We could not wait and therefore we bought the place for £900.

6738. But still the Government reserved its consent owing to the fact that this Commission was sitting?—Only in regard to the condition as to whether we should go over that man's property or not. It did not affect the whole scheme but simply as to whether we could force that man or not, and we could not hold the thing over for that.

6739. It is a fact then that you are undertaking a very costly scheme which depends on the adoption of a system of treatment of the sewage which may or may not be a success?—I beg your pardon; every town in England has taken it up and it has been a success.

6740. Are you aware that there has been a Royal Commission in England sitting for some time to decide what is the best way of disposing of sewage?—Yes, but they have all come to the decision that bacteriological treatment is the best, and the further question is only as to the minor details.

6741. Then if I tell you that they have not definitely accepted that and have not yet finally reported you would consider the statement incorrect?—From all practical experience and from everything that has come forward, the big towns everywhere have abolished the old systems and have adopted this bacteriological treatment. And as regards the costly part of the business, the cost is really in the pipes and the few tanks cost next to nothing. The pipes you must have in any case. If it is found that the thing does not work, all we have to do is to pull up these tanks, but the pipes we must have. I think the Government would be very much remiss in their duty if they stood in our way. If we don't do our duty they sit on us and if we do our duty they sit on us all the same.

6742. You say that you have asked the sanction of the Government to a system, but you are not aware what the system is yourself?—What we have asked is the con-

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sent of the Government to the bacteriological treatment, and if the Government would wish us to have a particular branch of that treatment which they could point out it will be very advantageous. I don't think there would be any difficulty and we would be quite willing to listen, but instead of being assisted we are obstructed, it seems.

6743. But when Government says, "We should like this Commission to consider the matter," then you say, "No we will buy that ground"?—No, Government did not say that we should hang up our scheme. They only said we could not get the right over that small portion and that this Commission would have to decide that.

6744. Do you mean to say that the only thing this Commission had to decide in connection with that matter was the question of what line the pipes should take and not the whole system?—Yes, that is what we took it to mean. Government had all the time to object if they wanted to, and surely they will not come and stop us at the last minute when all our contracts are out.

6745. *Chairman.*] Would not the deliverance by the Government on that one point imply deliverance by the Government on the whole thing?—We are not taking it that way. Do you think it is just after we entered into contracts, then for the Government to come in at the last minute and tell us to hang up the work? We are only laying the pipes, and we are not going into the system. Is it a crime to lay pipes for an ultimate scheme that is necessary?

6746. That is hardly the point: to use an analogy, the same difference arose with the Oliphant's Hoek scheme; the Board there asked consent to pay interest on certain debentures, and the law advisers of the Crown held that the Minister could not give consent to the payment of the interest on these debentures without committing himself to the whole scheme of water for the supply to Woodstock?—That is a different matter.

6747. Now a similar question arises, and in the same way with you; and the Government might be in a difficult position, seeing that if they gave consent to your passing over that farm, they may thereby be committing themselves to the whole scheme of sewerage with the details of which they are not acquainted?—Well, but now suppose that we had paid for that portion from the beginning as we have done since, that point would never have cropped up, and would never have been before you.

6748. *Mr. Stewart.*] Do you remember when the plans were first submitted to the Government?—It was given us by Parliament. The——

6749. Is it not a fact that the plans were submitted more than 18 months ago?—I will find out.

6750. Is it not a fact that when Dr. Simpson was here, the plans had been sent in?—Dr. Simpson was here already.

6751. And is it not a fact that the Government kept the plans for three or four months and then wrote a letter apologising for delaying them so long?—Yes.

6752. Will you let us have that letter?—Oh, yes.

6753. You have had some experience of contracts in Wynberg, have you not?—Rather.

6754. You know what happens when the Council, through any default, don't supply the contractors with all materials or don't give them access to the ground?—Yes, I know we have to pay very heavily.

6755. And in this case, if you had not secured this farm from Mr. Carnatz you would have had to delay the contractor, and it would have landed you in difficulties?—Yes, and in no end of expense.

6756. *Dr. Gregory.*] Practically you are laying your pipes right down to Princess Vlei?—No, a long distance from there.

6757. How far?—A very long distance, and it is very sandy soil. I will put in the plans.

6758. *Chairman.*] Could we get them soon?—We will hurry them up as soon as we can.

6759. *Mr. Gurney.*] When the meeting was held in 1898, the ratepayers ultimately approved of the loan of £60,000 for the purposes of drainage?—Yes.

6760. I take it that only a tentative scheme had been submitted to you?—Yes.

6761. At that time it was understood that the Military had promised to pay one-sixth?—Yes.

6762. Amounting to £10,000?—Yes.

6763. That was supposed to be additional?— Yes, in addition to the £60,000.

6764. As a matter of fact, they have now only given one-eighth?—Yes The Military agreed to pay one-sixth on the basis of population, but as the matter was so long delayed they afterwards raised the question that whereas Wynberg was increasing the Military would decrease, because they had received orders that they are not to have more than 1,500 men at Wynberg, and that, therefore, the whole basis had been shifted, and we worked it accordingly. In fact, we went so far as to undertake that if the

Military left Wynberg altogether we would take over any works that they might have, and those are the reasons why they are paying one-eighth instead of one-sixth.

6765. At that time I remember you stated at the meeting, in your position as Mayor, that the scheme was based on a population of 12,000 ?—I don't know.

6766. But now, have you gone on making your final arrangements without considering the increase of the population ?—We are not taking in the whole thing at once. We have now 1,500 houses that have the water.

6767. You are taking very little of Wynberg in, are you not ? You say two-thirds, but nothing like two-thirds of Wynberg ?—I say two-thirds of the houses. I don't go by the waste land, only by the houses.

6768. In this £60,000, have you included the laying down of pipes in the side roads ?—All included.

6769. And I believe it was proposed to assist the ratepayers by making connections for them and advancing them the money, which was afterwards to be collected by instalments ?—Yes.

6770. Have you any idea that that will mean another £20,000 or £30,000 ?—We have not got that right yet. We must get permission from Parliament; the promise was made subject to the confirmation by Parliament.

6771. Did not the ratepayers at that meeting represent that a great many of the people would find themselves in a financial position to connect, and that therefore it would be absolutely cruel when they were unable to pay for the connection, that it should be forced upon them, and therefore their consent to the loan of £60,000 was conditional upon that promise ?—No, there were very few who raised that objection, and I know the party who is working in that direction. He is a former Councillor; but I feel so strongly that Parliament will give us the power that I do not pay much heed to it, and besides in the meantime we can afford to help these people, as we have money in hand.

6772. You spoke of the purchase of 70 acres of ground at Princess Vlei ?—Yes.

6773. But you have made other purchases besides ?—No.

6774. Only that one farm ?—Oh no, we bought a whole conglomeration of farms.

6775. But are these the farms which were originally contemplated in 1898 ?—We simply held the refusal in 1898. I could not employ an engineer and let him find out which was the most suitable site until the ratepayers were satisfied that we could do it. When the ratepayers had consented to the scheme we sent an engineer and he gave us the most suitable site on the Zeekoe Vlei Estate, as well as the most suitable farms on the other portion, and we had the option of taking either of the two.

6776. But you bought some of the Zeekoe Vlei Estate too ?—No.

6777. Well, then, is not the effluent supposed to run into Princess Vlei ?—No effluent will reach Princess Vlei.

6778. Is not a large portion of the stormwater from Wynberg to run down those drains ?—They may not be connected but all the muck from the backyards goes into Princess Vlei at the present time, and that will not be if they are connected.

6779. Then I think the scheme was a tentative one when you asked permission to raise a loan of £60,000; now have you reason to believe that it is going to be completed for that sum ?—I think so.

6780. But do the plans that you have received deal with that ?—Yes, the first portion comes out very favourably in comparison to the whole scheme.

6781. There has not been such a thing contemplated then as carrying the drainage on to False Bay ?—No, we could not, and why should we ?

6782. Supposing there was any difficulty such as you spoke of just now with these septic tanks, owing to their not answering the purpose as well as anticipated, then would you not be obliged to drain into False Bay ?—I don't think there will be any trouble about the septic tank; no end of people have started it. The late Mr. Rhodes had it and Mr. Marais of Wynberg has adoped it on my advice.

6783. *Dr. Gregory.*] That is the Scott Moncrieff system, is it not ?—Yes.

6784. That is quite different ?—No, I don't think so.

6785. But the septic tank system is something different ?—Yes, it deals in a different way, but after all nature does the work: it does not matter in what way it is done.

6786. But it really depends on the kind of system ?—Yes; if we set about it properly, nature will help us over the difficulty.

6787. *Mr. Gurney.*] I suppose the engineer will have given you an opinion as to whether your present water supply will suffice for the drainage scheme ?—Yes, we know that 30 gallons per head of the population will be the supply, and in a drainage scheme that is all that is required; but I may say that we are prepared to add to our supply, as we have the water, and we only want more works.

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6788. But is there not a great expense entailed?—We get paid for the water and we cannot be the loser on that.

6789. *Mr. Stewart.*] You know by your own observation that from the surface a large proportion of drainage finds its way into Princess Vlei in the winter time?—Oh, yes.

6790. And none of that undergoes any process of purification?—Well, to a certain extent, Nature carries on its own bacteriological treatment itself.

6791. In the drainage scheme for Wynberg, is it not the case that the sewage is put through the process of purification by the septic tank system, and that after passing through filtering beds the water may find its way into Princess Vlei?—Of course if it can percolate through the sand, but I think the sand would soak it all up.

6792. Do you remember receiving a letter from a firm of sanitary engineers in England,—who were apparently not very busy at the time,—recommending Wynberg to dispense with the septic tank system and allow the sewage to be treated on the sand instead?—Yes, they said it was unnecessary expense, because the nature of the soil was so favourable there that we could throw the sewage in a crude state over it.

6793. That firm had never seen the ground?—Yes, I think they had a local representative here, and long letters appeared in the "Wynberg Times," but we wanted the thing properly done.

6794. *Chairman.*] Was that a firm of engineers?—Yes.

6795. Would you put in that correspondence?—Yes.

MONDAY, 12TH MAY, 1902.

Present:

Hon. Sir BISSET BERRY (*Chairman*).

Dr. A. J. GREGORY.	Mr. W. E. GURNEY.
Dr. A. J. ANDERSON.	Mr. J. LAWRENCE.
Mr. T. STEWART.	Mr. J. E. R. DE VILLIERS.

Mr. W. Runciman, M.L.A., examined.

Mr. W. Runciman. 12th May, 1902.

6796. *Chairman.*] Just a question or two, Mr. Runciman, with regard to proposed water supply for Simonstown. We have had the Mayor as witness, who put a somewhat different complexion on the matter of the possibility of getting water from Noord Hoek. (The Chairman here read the evidence on the point, beginning at Question 5963.) It would seem from this evidence that the Noord Hoek water supply would not be available for Simonstown, for it looks as if the Municipality of Kalk Bay had forestalled Simonstown?—I think that the latter part of the Town Clerk's evidence will sum up the whole thing. He said that he went to Muizenberg and made inquiries from the Town Clerk, and got the reply that his Council had acquired the rights and had done nothing further. They want to put a little more energy into the matter, and then they would find things would go all right.

6797. It is not within your knowledge that the Kalk Bay Municipality have obtained those rights?—There are difficulties in Simonstown's way, but I take it that they are slight and may be overcome if our people would put some energy into the business. They seem to have lost all energy in the matter. If they went into it with the heart and spirit which it deserves, difficulties would be overcome. I have made inquiries and find that the real state of the case is different to what has been stated to the Commission. The information which I have received was given me by a member of the Kalk Bay Council, and he said there are no title deeds giving to the Municipality the rights which Simonstown say that Kalk Bay have got. The title deeds are perfectly clear.

6798. Then, in your opinion, the matter is still open?—Yes, it is still open.

6799. How far is Simonstown from Orange Kloof farm near Wynberg?—I think about 20 miles.

6800. And how far is Simonstown from the Noord Hoek supply?—Perhaps 12 or 15 miles.

6801. Would the water from Orange Kloof farm come past Kalk Bay reservoir on its way to Simonstown?—It would go through Kalk Bay.

6802. It is about 10 miles from Noord Hoek to Simonstown?—Yes.

6803. The great advantage you claim for this scheme of taking water from Noord Hoek is that no reservoir would be required at the present time?—That is so.

6804. *Mr. Lawrence.*] Do you know of any other source of water supply—not necessarily for Simonstown—but for the whole Peninsula?—I went to view the Oliphant's Hoek water supply on the occasion that the Woodstock Municipality made an inspection of it.

6805. Can you give us any opinion of that as a source of water supply for the Peninsula?—With regard to quantity I cannot speak personally, but I think it was ascertained at the time of this inspection. As for the quality of the water it seemed to me that nothing could be better. It seemed excellent, pure, clean water.

6806. How was the quantity ascertained?—By measurement. They had some electrical apparatus, and were measuring the flow with it.

6807. You could not give us your own idea as to the quantity of the water?—No.

6808. But you think that as regards quality it was excellent?—It was very good indeed.

6809. With regard to the Steenbras scheme; did you go with the picnic to view that?—I did not.

6810. You do not know of any other sources of water supply for the Peninsula?—I do not.

6811. *Chairman.*] When you left us on the last occasion of your giving evidence we were on the subject of the Divisional Council and the possibilities of reforming it. I believe I read to you the resolution come to at a Conference between delegates of certain Municipalities on the subject of their relations with the Divisional Council?—Yes.

6812. I do not think you were present at that Conference?—No.

6813. One of the items of the resolution was that special provision ought to be made for Kalk Bay, Simonstown, Maitland and Durbanville?—Yes, I believe so.

6814. Are you aware of what that special provision was to be?—I do not know what special provision there was in their minds, but I know the reason why special consideration should be given to those places.

6815. Will you please tell us?—There is a very large extent of Divisional Council main roads and divisional roads running through those places, and the cost of keeping up those roads by the people in the district would be too great, and they therefore thought, in the event of handing over to the Municipal Councils the maintenance of these roads, there should be special consideration given to those Municipalities because of the large extent of road they would have to maintain.

6816. In the return which I have before me from the Divisional Council showing the extent of roads within the Municipalities, Simonstown is put down as having one mile of road; and the cost of the upkeep of that one mile of road is £1,056 per annum. What is that one mile of road?—It is simply the main street of the town; but there are many miles of divisional road.

6817. In Simonstown?—Yes.

6818. Are they on the commonage or where?—The main road running through the town and Municipal land is quite four miles in length; then we have a branch road leading up Red Hill—the road towards Cape Point—which is from a mile and a half to two miles in lengtb.

6819. That would comprise all the divisional roads within Simonstown?—Yes.

6820. A total of about six miles?—Yes.

6821. And Simonstown pays in divisional rates £534 per annum?—Yes.

6822. So that if £1,056 is spent on the Simonstown mile each year it is practically twice what the Council obtains from the district by way of rates?—Yes, that would appear so.

6823. Who maintain the other five miles besides this one mile of which we have record?—The Divisional Council.

6824. Do they do it now?—Yes.

6825. I suppose you cannot say why no reference is made to that in the return which was made to the Commission?—I think the return was made before such a length of mileage was ascertained. The Municipal boundaries of Simonstown have been extended within the last two or three years, and I think the return has not taken the extended portion into consideration.

6826. So that under the circumstances foreshadowed, Simonstown would want some contribution towards the maintenance of the extra Municipal roads?—Yes.

6827. Your contribution to the divisional revenue is a very small one, and the length of road to be maintained is considerable?—Yes; there are a great number of

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buildings and properties in Simonstown belonging to the Imperial Government. These are exempt from rates, yet nearly all the traffic is in connection with the Imperial Government, and that has been Simonstown's difficulty.

6828. How would you base the amount of special consideration to be extended to those Municipalities in the event of the Divisional Council handing over the maintenance of the roads? On the length of road to be maintained?—Yes. I would also say in this connection that Simonstown roads are very difficult to maintain. They are in close proximity to the sea, and the South-easters are frequent and violent.

6829. Do you know that bad weather damages the road more than the traffic does? —Yes; the friction of the sand is constantly wearing away the roads. In addition to this the sand is constantly covering up the roads and has to be carted away.

6830. If the Divisional Council is not abolished and the roads were handed over, would you leave it to that Council to determine the amount of the contribution to be made to a Municipal Council in consideration of its having to maintain its roads? —The Divisional Council would be in the best position for determining the amount of the contribution, from the fact of their having had to do the work, and therefore knowing exactly what the road cost to maintain. If they gave the amount that the road had previously cost the Divisional Council it ought to meet the case.

6831. You would be in favour of their handing over that amount as the Divisional Council's contribution to the Municipality? I mean the amount expended previously on the length of road taken over, less the amount of rate collected hitherto?—Yes.

6832. There would have to be some kind of supervision or surveillance exercised over the spending of the money?—The public themselves would be sufficient check of that kind. They would always agitate to have the roads kept in good order.

6833. Are the roads in your district much used?—Not so much as before the railway was built. The traffic is not now so great as it was; the wear and tear of the roads nowadays is more due to the south-east winds than the traffic.

6834. As far as I gathered from your previous evidence you were in favour of having some kind of Council—an elective Council—outside the Municipalities to manage the affairs of the Cape Division?—Yes, for certain things.

6835. What things do you suggest should be left to such a Council?—Drainage, water, lighting, and roads if necessary. A very important point also would be the control of the sanitary arrangements outside the Municipal areas.

6836. Suppose now it is found impracticable to hand over such a Council as that suggested, such matters as water and drainage, would you still be in favour of a Board for such things as roads and ordinary sanitation?—Yes; it is very necessary, as was shewn by the recent outbreak of plague, that there should be somebody in charge of sanitation in the areas outside towns. When the Divisional Council began to bestir themselves on that matter they found that the state of the country districts in regard to sanitation was something fearful. There was nobody in control of the matter.

6837. Then you are in favour of the establishment of an outside Board even apart from the question of the powers to be given to it? If it is impossible to give it all the full powers you desire, you still think that a Board should be established with more limited powers. If it was found impossible to give this Board control over drainage, water and lighting, you would still consider a Board necessary to manage the other matters?—Yes, such a Board is absolutely necessary.

6838. You are in favour of that Board being elective?—Quite so.

6839. You are a member of the Cape Divisional Council?—Yes.

6840. If not too impertinent a question, would you tell us, as a member of the Divisional Council, your opinion on the question of Divisional Councils having an official Chairman?—I would be rather in favour of an official Chairman.

6841. On what ground?—There is no election for the post and no seeking of votes, so that the official Chairman is thoroughly impartial; so far I have had no reason to see anything objectionable in an official Chairman for the Divisional Council; rather the contrary. It seems to work very well.

6842. Do you or do you not think it would lead to greater interest and efficiency in the carrying out of Divisional Council matters if you had an elective Chairman?— I do not think so.

6843. I do not mean to the exclusion of the Civil Commissioner being a member of the Board, because it might be advantageous for him to be a member without being Chairman?—I can see fewer reasons for him being a private member than for his being Chairman. As Chairman he is thoroughly impartial and has no interests to serve—no interest of locality to serve—and consequently he is a most suitable man.

6844. What does his impartiality mean?—He merely keeps order, and sees that there is no bias in favour of one side or the other.

6845. Could not an elective Chairman do that?—He could do it.

6846. The point I want to get at is this: in Municipal Councils we have elective Chairmen—the Mayors—and in Divisional Councils an official Chairman—the Civil Commissioner—why should that be so?—I do not understand why that is so except perhaps that in the case of the Municipal Council the area is a contracted one, and there is not the same broad interest to serve. In the case of the Divisional Council their district is so large a one.

6847. Let us take Cape Town; its Municipal Council has surely larger interests than the Cape Divisional Council?—Yes, but Cape Town has not the extent of area that the Cape Divisional Council has to serve.

6848. But the Cape Town Council has surely larger interests and more revenue to dminister? —I admit that it has a great revenue to deal with.

6849. But do you not think that as a general principle elective Boards should have elective Chairmen?—To a certain extent; and if you were to extend the Divisional Council and give it greater powers perhaps it would be better to have an elective Chairman. But speaking of the Divisional Council as it is at present situated with only the roads to look after and maintain, the Civil Commissioner has always done very well as Chairman.

6850. There are people in the Cape Peninsula and elsewhere who do not think with you on that point of principle; and in trying to suggest reforms for Divisional Councils, including the Divisional Council of the Cape, we seek out reforms which are within our reach. So far it has been suggested that one possible source of weakness in Divisional Councils lies in the fact of the Chairman being an official nominee; you do not agree with that?—If the Commission is considering the advisability of recommending a new Council, somewhat on the lines of a County Council in England, and giving it power far beyond those of the present Divisional Council, I would be in favour of having a Chairman who would be able to devote his whole time to the affairs of the Council, and do nothing else.

6851. Then you would have him be a salaried man?—Yes; it is a fault in connection with these Boards that members rush to the meetings often having very little time in which to attend them and no time to think of what is coming forward before going there, consequently things are rushed through which on mature consideration would not have been carried. If you had an elective Chairman who could give his time to the affairs of the Board it would work out very much better in the interests of the ratepayers.

6852. With reference to the officers on the Divisional Council, what arrangements does the Council make for inspecting the roads?—As it is now we have a qualified engineer, and he has under him inspectors.

6853. Is your qualified engineer a man of recognised standing?—Yes, and he has inspectors under him, and under them again there are overseers. The overseers simply stand and watch their gangs at work in road-making, quarrying, and similar work.

6854. Who appoints these men? Is it the engineer?—No; the Council.

6855. Upon whose recommendation?—Probably at the engineer's. I cannot speak definitely. In the Divisional Council they have an inner Committee which sits every week and practically work out all the details of the Council.

6856. So that your arrangements in that respect are more advanced than the arrangements amongst Divisional Councils generally?—Naturally ours is such a large Council compared with others.

6857. And what have you in the way of sanitary inspection?—As soon as the plague broke out two sanitary inspectors were appointed.

6858. At what salary?—At about £100 per year or £10 per month, or something like that.

6859. Do they do anything else beside the work of sanitary inspector?—Nothing else; they are supplied with horses and go about inspecting the sanitary arrangements of the farms about the Cape Flats.

6860. You surely do not expect to get much ability for £100 a year?—It was only an emergency to meet the requirements of the occasion.

6861. Have you anything to say to us about the constitution of the Divisional Council of the Cape at the present in the matter of the excess of town members or inequality of representation?—No, as far as I know we find no difficulty in the matter of representation; everything seems satisfactory in that respect. As I have said before, there are too many members for the amount of work which is to be done. We have a large number of men sitting around the Board for the control of the roads, when three or four of them would do all that is required.

6862. And perhaps with fewer meetings?—No; our meetings are only monthly, although of course there is the Finance Committee which sits every week.

6863. Is that the inner Committee you referred to?—Yes.

6864. They act as a sort of Executive?—Yes.

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6865. And does the official Chairman attend the meetings of the Executive ?—No.

6866. You have an elective Chairman for that Committee ?—Yes, they elect their own Chairman.

6867. So that the Executive Chairman really takes a leading position amongst the members ?—Quite so.

6868. *Dr. Gregory.*] You consider that if a general Board such as you suggest were appointed, the Chairman should be elective ?—Yes.

6869. And as a sound principle the whole of the Board should be elective ?—Quite so.

6870. But you will admit that there should be some Government control over it; perhaps not so much in the way of detail, but certain subjects must be submitted to the Government ?—Naturally, it would be a good thing to have.

6871. So that in the event of failure to carry out certain necessary duties the Government might step in and compel ?—Yes.

6872. Subject to the provision of such proper safeguards as that, you consider that the whole machinery should be elective ?—Yes.

6873. In speaking of the Civil Commissioner as Chairman of the Divisional Council, are you not more in favour of the present system because of its application throughout the entire Colony ?—Yes; it is more advantageous in other places even than here. I would be very sorry to see that system broken through.

6874. It is particularly necessary where the members of the Council live at long distances from the place of meeting as is the case in most up-country Councils, whilst the Chairman is always in his office in the central town of the district ?—Quite so.

6875. You were Mayor of Simonstown for many years ?—I was.

6876. And last year you resigned your position ?—I did.

6877. And your position on the Council ? —Yes.

6878. Would it be embarrassing if you gave to the Commission your reasons for resigning your membership on the Council of which you had been such an energetic and earnest worker ?—I shall be only too pleased. First of all, in the usual way we framed our estimates of expenditure for the coming year, and we found that we wanted a very large increase in the amount of revenue to meet the growing requirements of the town, and that meant an increase in the rates. By "we" I mean the Finance Committee. So we cut things down to a minimum, and still found that we should have to increase the rate from 1½d. to 2d. in the £. Even that increased rate would only bring us through the year, with the possibility of leaving a deficiency of a few hundred pounds. We brought this report before a meeting of the Council and they rejected it. We recommended a rate of 2d. in the £ and the Council would not have it, but passed a rate of 1½d. in the £. I felt bound, if they would not give the necessary amount required to carry on the work of the town, to resign. I felt that I could not go on muddling the affairs of the town in the way in which they had been done. I do not know where the Council have got to now. They determined to discharge the engineer, and after I left they reappointed him. I believe the expenditure has been really more than I estimated it would be, with the result that they are in great financial difficulties.

6879. When did you resign ?—About September or October.

6880. Of last year ?—Yes.

6881. In your opinion the accounts of the Simonstown Municipality will, next year, shew a deficiency ?—A very large deficiency.

6882. In spite of having reduced their staff ?—Quite so In my opinion they have practically put the town back for at least two years.

6883. In what way ?—There are a great many most important and necessary works to be gone on with, but they have an inadequate supply of money, and in that way they have put the town back.

6884. How came that shortsighted policy to be adopted ?—I would not like to give an opinion upon that.

6885. Speaking generally, is such financial working favoured by the ratepayers ? —As far as the ratepayers were concerned, they were quite with me, but it happened that there was a majority on the Council in favour of a cheeseparing policy, and they wanted to cut down the town's rates in order to save their own pockets.

6886. They were large ratepayers, I suppose ?—Yes.

6887. In view of such possibilities, do you not think that Government should have some measure of control over local authorities to secure their financial stability ?—Yes, in securing their financial stability; but at the same time I would not like the Government to interfere too much with the affairs of local bodies. We want the ratepayers to wake up to their responsibilities and make their respective representatives do their duty. It would be a bad policy to interfere too much with local government.

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6888. But in a case such as this, where obviously an insufficient rate is being levied to meet the financial requirements of the local authority, do you not think that there should be some means of raising the point so that it is not finally decided by a few members of the Council who are so directly interested as you mention?—I suppose the Government could simply draw the attention of the Council to the fact that they are not carrying on the financial affairs of the town with sound judgment. But I think it would be wrong to interfere with the duty of the public.

6889. Do you not think that it would be a wise provision if the Act allowed the calling of a meeting of ratepayers to put the question to them before it was finally decided?—That would be a good thing, if it was a provision of the Act.

6890. It would not be interfering with the rights of the ratepayers, and would ensure that they had a proper voice in the matter, and would convince the Government that in the opinion of the people their true interests were not being neglected?—Quite so.

6891. *Mr. Stewart.*] In any of the questions which you, as a Council, have had to refer to the Government have they been dealt with promptly?—I would not like to say that they have in all cases. For instance, in the matter of new Bye-laws they seemed to take a long time in consideration before giving them their sanction.

6892. So that reference of too many questions to Government results in a good deal of delay?—I am afraid so. What the Government wants is a sort of department, in connection with the Central Government of the Colony, dealing with local affairs—a sort of Local Government Department, with officials of trained ability, so that matters of this sort could be referred to them.

6893. You do not think that, as at present constituted, reference of matters to the Government would expedite their treatment much?—Not as at present constituted.

6894. *Mr. Lawrence.*] With regard to the question put by Dr. Gregory as to appealing to the ratepayers on the question of increasing the rates, from your Municipal experience, what would be the result of such an appeal? Would the ratepayers vote for an increase in the rate?—In the present instance I feel sure that they would have done so.

6895. As against the vote of the majority of the Council?—Yes.

6896. Generally, would not the effect of Government interference in local matters be to put up the backs of the ratepayers?—I do not think so, speaking generally.

6897. Not in Simonstown, you mean?—I was speaking with regard to Simonstown.

6898. With regard to the central authority suggested by Mr. Stewart to deal with local matters, there is such a central authority now, is there not?—Such as it is.

6899. You said in your evidence before us on a previous occasion that the sewage of Simonstown runs into the sea?—That is so.

6900. All of it?—Yes.

6901. What becomes of it; is it washed out to sea or is it washed up on to Muizenberg beach?—We have five outlets for the sewage, and if you go to any of those outlets you will find very little discolouration of the water; the sewage seems to deodorize almost immediately it gets into the sea.

6902. Is it washed out to sea?—Yes.

6903. Have you had complaints from Muizenberg of your sewage washing up on to their beach?—Not the slightest complaint has been made.

6904. You have heard that pieces of candle have been known to be washed up from the ships on to Muizenberg beach?—Yes, but that is a special substance that would be bound to wash up somewhere; you see that it will float, but it will not dissolve, so that it must be washed up somewhere.

6905. Has any survey been made of the currents in False Bay?—I do not think so.

Gerrit Hendrick Moller examined.

Mr. *G. H. Moller.*

6906. *Chairman.*] You are an auctioneer and appraiser in practice in Cape Town?—Yes. I have been an auctioneer for the past 35 years, and I have been engaged as an appraiser, actively employed for the Municipalities and Local Authorities of the Cape Peninsula, for the last 10 years.

6907. For how many Municipalities have you acted as appraiser?—Ten years ago I started. First I began with Cape Town, making the valuations in conjunction with Mr. Cauvin. He was then the valuator for the town, and I assisted him in the general valuation. After that I took the valuation alone. I have been the valuator for Cape Town Council on three occasions.

6908. For what years?—Ten years ago I began, and the last valuation I made was only concluded about eight months ago.

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6909. The valuation now in use in Cape Town was made by you?—Yes; I made the general valuation. The first valuation, which I made conjointly with Mr. Cauvin, turned out at a total of £6,000,000. That was 10 years ago. The valuations take place every three years. The second valuation, which I made, came out at £9,000,000, and the third and last valuation came out at a little over £13,000,000. The rates on the occasion of the second valuation were 3½d. in the £, and on the last occasion 2⅞d. in the £. I have also made the valuation for the Cape Divisional Council on two occasions.

6910. Of Cape Town?—Yes, but on this occasion for the whole of the Peninsula. I have also made the valuation for Woodstock Municipality, and I have just recently finished my first valuation in Wynberg.

6911. Was the result of the first valuation, which you made for Cape Town 10 years ago, a considerable rise upon the previous valuation?—Certainly it was a rise upon the former valuation, but then from that time property has risen very greatly and even now is rising. That is the reason why I am giving you my figures.

6912. But what I want to know is: was the valuation you first made an advance on the previous valuation?—I should say so, but I cannot answer the question positively.

6913. Were the increases in your valuations due to increases in the values or to additional properties?—There was an increase in the general valuation.

6914. In the number of properties or to rise in value?—An increase in both directions.

6915. Can you give us an idea of the percentage of increase?—I could not give the percentage, for this reason: if I was to give the percentage I would have to give the percentage on the valuation, and the valuation is made according to the market. The valuator values a property according to the market price of the property at the time he makes the valuation. It takes a long time to gain the necessary experience to value a property. It is the third time that I have done this work for Cape Town. It is a big area to cover. There are over 12,000 properties and of course properties become sub-divided between the time of one valuation and the next, and that makes the proportion of the valuation larger and larger as the sub-division goes on. I could give you instances of the increase in the value of Cape Town properties, even since the time of my last valuation 8 months ago. There has been another rise in the value of property even in that short time. As soon as the valuation comes out, up goes the price of property, because when a ratepayer sees what his property is valued at, he refuses to sell at a price with which he would formerly have been satisfied. He wants an increase, and the result is that he sells at the increased price, and the property market goes up after the valuation. Property is continually rising in value. The property market has to be studied daily by the valuator. You can never gain too much experience in valuing. It is a matter in which I have taken great interest. I have studied the property market daily and am continually in touch with it, and I am always valuing. My valuations are based upon what the property ought to fetch if put on to the market at the time the valuation is made. Of course the valuator's figures are always subject to revision by the Court of Objections. Sometimes I make a valuation on a property and the ratepayer will go to the Court and lay an objection, and he may get a reduction. If you will refer to the Act it says that the valuator shall value the property at the price which he thinks, in his judgment, it would realise at public auction. The Act, however, says nothing with regard to valuing the property according to the rent paid for its hire. Our Municipal Council, however, has laid down a rule deviating altogether from the Act of Parliament. They base their value of a property on the rent which is received for it. When a man comes into Court to take an objection to the valuation placed upon his property the first question put to him will be, "What rent do you get for it?" If he should say that he gets £10 per month, and if the property was valued by the valuator at, say, £1,200 or £1,500, a member of the Council will get up in the Court and propose that the valuation of the property be reduced to £1,000. That is the way in which the matter is dealt with in the Court of Objections. I was reading the other day some portion of the evidence given before this Commission by one of the witnesses, I think by Mr. Vollmer. He was speaking with regard to a Government valuator. It struck me at the time that it might be all right and a good thing to have a Government valuator. I thought it might do very well, but I thought that the matter might be carried a little further, and I would say that no Council ought to have a seat on the Court of Objections. My reasons are these: Councillors are elected by the ratepayers, and the ratepayers are the parties who object to the valuations. A Councillor relies upon the ratepayers to vote him back into his seat, and

although I would not say that they do it wilfully, yet it is only natural that the Councillors are inclined to lean a little to the ratepayers who return them to the Council, and therein, I say, lies the injustice which is often done to the valuator. What would be better would be this: you should take a body of five independent men not connected with the Municipal Council in one way or another. They should be men appointed by the Government and they should sit as a Board under the chairmanship of either the Civil Commissioner of the Division or the Resident Magistrate. If a ratepayer came to object he should be placed upon oath and examined by the Board, and on hissworn testimony, his case would be judged. This would make the valuator's hand very much stronger. On the last occasion on which I valued the Divisional Council property, I had only the Civil Commissioner, Mr. Hare, and Mr. Runciman supporting me. All the other members of the Court were always in favour of the objector. They supported the men whom they had to look to for their election. The result was that no justice was done to the valuator.

6916. So that from your point of view a bad valuation roll is caused more by a bad Court of Objections than by a bad valuator?—That is just the case. I can give you further instances. A man whose property was valued at £15,000 came to object to the valuation and got it reduced to £10,000. He had no sooner got the valuation reduced than he sold the property for much more than it had been valued by the valuator. In that case the valuator was right and the Court was wrong, but the owner of the property gained his object.

6917. Perhaps all valuators are not so conscientious as yourself?—I would not say that. It depends largely upon the experience of the valuator in the property market. I know that it would be ridiculous to say that I am the only valuator. I would not go to that extent, because there are many other valuators, but I will say that it takes a great deal of experience to learn all that is required to make a competent valuator. It is like a man learning his trade, and when he has served a number of years he is a competent man to do his work. It is the same thing with the valuator. He has to study the market every day and make his notes upon every sale that he finds to be effected. Then he learns the value of adjoining properties by comparing them with the prices obtained at the sales. Thus he goes on, step by step, until he has made a complete round of the town.

6918. I presume that you are looked upon by Municipalities as the right man to go to when they want a high valuation?—No; because I hold a rather independent spirit, and I never allow myself to be dictated to about any valuation.

6919. But we have been told that one Council wanted a high valuation, and therefore they employed you, Mr. Moller?—Oh, yes; that is the evidence of Mr. Vollmer, but Mr. Vollmer is entirely wrong in that matter.

6920. But how can Mr. Vollmer be wrong when he is on the Council?—He is wrong in his reasons given for the employment of myself by the Wynberg Town Council. The Wynberg Council asked for tenders for the valuation of the properties in their district. Messrs. Moller and Fock tendered at £125 for the whole valuation or 1s. 6d. for each property valued. Mr. Cloete tendered at £110, and another gentleman tendered at £160. The Council discussed these tenders, and they came to the conclusion that the tender of Messrs. Moller & Fock for valuing each property at 1s. 6d. was the lowest tender, and therefore they gave the work to us. Taking these facts into consideration, I cannot see where the evidence of Mr. Vollmer comes in.

6921. The point before the Commission was the remarkable difference in valuation, and the impression the evidence left upon my mind was that there were valuators and valuators, and that some were inclined to value properties highly and some not so highly. Is that a wrong impression?—It was never suggested to me what sort of a valuation the Town Council wanted. I would be very sorry, indeed, to allow any Town Councillor to come to me and say that they wanted the values of properties fixed in a certain way.

6922. But is it not the case that you have the reputation of being a high valuator?—I make my valuations in terms of the Act. I follow out the Act, which lays down that properties must be valued as their present market value. I find, too, that even in the high valuations that I have made I am still sometimes too low. Property sales have taken place soon after my valuation, which have shewn that I have been much below the mark. Take, for instance, the Oranjezicht Estate belonging to the late Mr. Breda. That place was originally valued at £6,000. As long as it was valued at £6,000 nothing was said at the Court of Objections. When I took the valuation in hand I valued the place at £15,000. That meant a rise of £9,000 on the previous valuation. The proprietors at once went to the Court of Objections and said that my valuation was preposterous, the property

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was not worth £15,000. The Court of Objections upheld the valuator's figures, but the owners were not satisfied and they appealed to the Supreme Court. The judges of the Supreme Court expressed their opinion that it was a very fair valuation of the property and they could not give any redress to the owners, but if the owners could not pay the rates, as they said, because it was an entailed property, it was for them to go to Parliament and introduce a Bill to obtain the right to sell the property. The result was that they did so and Parliament passed an Act to remove the entail. Two days after that Act became law this very property was sold for £40,000. There you are, gentlemen. The result is that the owners are drawing interest on £40,000 at 6 per cent. But I will go further and give you an idea as to how these values go up. The syndicate who bought that property sub-divided it and, a little while ago, they sold one quarter of it for £22,000.

6923. I was making no reflections upon your valuations. I was simply shewing the impression which previous evidence had left?—I am quite aware of that, Mr Chairman. You wish to get at the bottom of the thing, and I am giving my views of the matter.

6924. Will you now explain this to us?—Up to last year in Wynberg the property was valued at a trifle over £1,000,000, but when it was valued by yourself the value rose to over £2,000,000. There was a rise of quite £800,000 on the property which had been in existence at the previous valuation. Was it a legitimate inference from those figures that Mr. Moller was employed when a high valuation was wanted?—Well, let us take Wynberg for a moment. I am studying the property market continuously and I make my valuations accordingly. There was a property on the main road at Wynberg which I valued at £7,000. The valuation is not yet out. The property had previously been valued at £2,000 by the former valuator. One month after I had made my valuation the property was put up for public competition and it was sold for £10,225. So even there I was wrong, but the former valuator was very much more wrong, and the auction sale gave us the correct value of the property.

6925. You value for the Divisional Council sometimes?—I do.

6926. Have you always done so?—For the last 10 years I have done so. I have made two valuations for the Divisional Council. I know now what you are going to ask me. You are going to ask me why there is a difference between Town Council and Divisional Council valuations. You see, sir, I make a study of everything in connection with valuations I can simply answer this: The Town Council valuation and the Divisional Council valuation are not made at the same time. The Divisional Council's valuations are made every five years, whilst the Town Council's valuations are made every three years. That is where the difference comes in. If you have made a valuation five years ago for the Divisional Council, and then you make a valuation for the Town Council this year, there must be a large difference.

6927. When were the Divisional Council's valuations made by you?—The first valuation was made by me about 10 years ago, and the second valuation was made about 3 years ago.

6928. Has there been any valuation made for the Divisional Council since then?—No; but there is an intermediate valuation every year for new properties and sub-divided properties.

6929. So that any difference there may be between the valuation arises from the intermediate valuations?—It is not done at the same time.

6930. But would that difference in time account for the enormous difference in the valuations?—Certainly; there is a difference every day. There is a big difference between the values at the present time and those of 8 months ago when I finished my last valuation. From the properties which have been sold since then I have noticed cases where the amounts obtained were nearly double the amount at which I then valued the properties. Cape Town is divided into six districts. In one district the majority of business places are situated; in other districts there are dwelling-houses and so forth.

6931. When did you value the properties in Cape Town for Municipal purposes last?—It was completed about 8 months ago.

6932. And then the total of value was?—I think over £13,000,000.

6933. And when did you make your previous valuation?—Three years before that.

6934. And what was the total then?—About £9,000,000.

6935. And on the first occasion?—A little over £6,000,000.

6936. And the Divisional Council valuations, were they not always smaller than the Town Council valuations?—Yes; but you must go further into the matter to find the reason for that. The Divisional Council does not value Government properties,

and several other properties which go into the roll on the Cape Town valuation. The Town Council valuation includes everything—Government property and everything.

6937. Yes; but in one year the Town Council valuation is £9,000,000 and the Divisional Council valuation £6,000,000. Would the exclusion of those properties make all that difference?—The exclusion of Government property in Cape Town makes a great deal of difference. Then there are other properties which are exempt from Divisional Council rates but rateable for the purposes of the Cape Town Corporation.

6938. But would their omission make a difference of £3,000,000?—I would not say that it would make a difference of £3,000,000, but it would make a large difference.

6939. Then how do you account for the fact that property in Cape Town is rated for Town Council purposes at £9,000,000, and for Divisional Council purposes at £6,000,000?—That is because there are so many properties in one roll that do not appear in the other.

6940. It is not, then, owing to the difference in the valuations of the same properties?—It may be that the valuation would be different in some properties, and there is another thing which comes in too: the Town Council valuations includes churches and schools, playgrounds, and everything else which the Divisional Council exempt.

6941. Speaking generally, the Municipal valuations in the Peninsula come to about £20,000,000, whereas the Divisional Council valuations reach about £11,000,000. Why is that?—I do not know how the Town Councils make up their accounts or what they deduct for certain properties.

6942. You hold that it is mainly owing to the omission of certain properties from the Divisional Council's Valuation List that this great difference is made, and not so much in the difference of the valuations of the same property?—That is so.

6943. When we had some witnesses from the Divisional Council before us, they said that in the collection of rates their experience was that they had a loss of something like 10 per cent., owing mainly to the fact that properties were returned to them by the valuator which had really no existence, or that when the rates came for collection the owners of the properties could not be found?—That has never been brought to my notice. It may have been in former times, but it is not the case now. When I saw that paragraph in the paper, I made enquiries about it, and I was distinctly told that there was some error in the matter, because the loss on rates traceable to errors in the valuations was not as much as 5 per cent. It must have been a reference to former times. Such a state of affairs has not occurred in my time. I may state in reference to this matter, that I am also the collector of rates for the Divisional Council. The Divisional Council have given me the contract to collect their rates. The bulk of the rates are of course paid at the Divisional Council's office, but, after a certain time, the unpaid accounts are handed to me for collection so that naturally if I was to make a valuation of a place not in existence, or give a wrong owner of a property, I should not be able to get the rates; and here, again, another point is brought to my mind: The valuator is put to a lot of inconvenience, and a lot of insult, and everything of that sort, when he is making out his valuations. You tender to a Municipality to value their property and they accept your tender, but all they say to you is, "Here is the district of Wynberg, or Woodstock, or Cape Town, as the case may be, and you must go and value every property in it. You must find out every property for yourself and you must find out every owner of property for yourself." You have different classes of people to deal with. The first class of people will be glad enough to give you all the information you require, but the second class and the third class of people, who all own property, may not only refuse to tell you anything but insult you into the bargain. The valuator has no protection under the Act against false information or insult. These people can open the door and they can shut it in your face again. You are at their mercy in the matter of getting the right names of the owner and occupier. You do not get them from the Town Council or the Divisional Council. All they do is to show you their area. They say, "There is our boundary and you must value everything within it; you must find out everything for yourself and you must come back with a satisfactory valuation."

6944. What remedy do you propose for that state of affairs?—I think the Act should be made stronger.

6945. To which Act do you refer; the Divisional Council Acts or the Municipal Acts?—To both; there should be a compulsory clause to the effect that if the valuator goes to a person's house and asks him whose place it is, and is served with wrong information, the valuator should in return have the power to serve that person with a notice to appear before the Magistrate the next morning at ten o'clock to give a proper answer, and then the valuator would not have half the trouble. It is nothing now for a Malay man to tell you a wrong name and give you other wrong information, so that

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when you come to make up your roll you get down, as the owner of a house, a man who perhaps has no existence whatever. It has been given to you, and you have the wrong information and no power to make your informant give you the right information. If you had the power to serve a summons upon an unwilling or an untruthful informant to make him shew cause why he should not give full and correct information to the valuator, these troubles would be practically at an end. As it is now, the valuator has got no power and is consequently at any one's mercy.

6946. Is there nothing that the Town Councils or the Divisional Council can do to assist you in matters of this sort and to make the list a more correct one?—They cannot go beyond their Act. The Town Councils might make bye-laws, but could the Divisional Council do it? I have brought it to the notice of the Town Clerks on several occasions, how difficult it was for us to get correct information.

6947. Whilst speaking on this subject, are you aware of what a Divisional Council officer told us a little time ago: he said that the valuator sometimes sees a bit of land adjoining a person's property, and simply puts it down as belonging to that person, whereas he may not be the owner at all, and he said that that was because, at a general valuation, the valuator gets a lump sum for his work, but at the intermediate valuation the valuator brings up every bit of property, whether correctly or otherwise?—That has not occurred with me. If I find a piece of stray land I make a note of it and endeavour to find out whose land it is, and, if I am unsuccessful, I mark the piece of land in my book "Owner unknown."

6948. The officer in question gave us to understand that the general valuation is often done in a haphazard kind of way, but at the intermediate valuation the valuator brings up everything as is proved by the fact that, for one intermediate valuation alone, the valuator got as much as a quarter more than he did out of the general valuation?—I cannot comprehend such a state of affairs.

6949. It has been said that the loss in collection arose largely through faults on the part of the valuator, who would sometimes return names of persons and properties which had no existence?—That is not me. I made the valuation on two occasions for the Divisional Council, and does it stand to reason that, if my first valuation had not turned out properly, they would have employed me to do it on a second occasion?

6950. Perhaps they could not help themselves?—A matter of that sort has never been brought to my notice. As I have just stated, when I find a piece of ground and cannot discover who is the owner it becomes, so far as my books are concerned, "No man's land" until I find out the owner. One day perhaps the man comes forward who is the owner of the land, and, if he claims it, he has to pay the rates that are in arrears. That is the way I do it; otherwise it would be impossible for me to keep my books correctly.

6951. Is it through any fault on the part of the various Councils that the Land Registry is not kept up?—I do not know.

6952. Ought there not to be a correct Land Registry somewhere?—Yes, there should be, and then it would be easier for the valuator, because he need only look to the register to find the owner of any property.

6953. Is there no such register?—There is not.

6954. If you are in doubt as to the ownership of any piece of land, is there no means of finding who the owner is?—It has happened to me on several occasions that I have come across pieces of land without owners—at least without owners that I could find. Sometimes the land has been bought by persons, many years ago, who have since left the country, for Australia, or some other place. According to law that land reverts to the Council after 30 years. In my books the ground stands as "Owner unknown."

6955. Are the rates accumulating until an owner is found?—Yes, and when the owner comes back he will have to pay the rates.

6956. Will that account for part of the loss of rates?—Yes. Before people talk about this matter they should go more into it. There are several pieces of ground standing in the Divisional Council books with owners unknown. If a man sells a piece of ground and the Council cannot find who has then to pay the rates, it is referred to the valuator.

6957. The valuator, before commencing his duties, has to make a declaration that he will value the property to the best of his ability?—Yes.

6958. What is the general acceptance of that?—My interpretation is that the valuator must study the market, and if he sees a house which, in his judgment, will fetch £1,200, he must value the house at that sum.

6959. But then all valuators cannot study the market, as you do?—I would not say that. I am simply speaking for myself.

6960. Could no check be placed upon the selection of valuators? To indicate the necessity for some such check I have pointed out that the difference between your

valuation of certain properties in Wynberg and the valuation of the same properties twelve months before amounted to £800,000?—That must show that I understand a little about property.

6961. But I am trying to bring out the point that there are valuators—and valuators?—Yes, there are.

6962. That being so, what could this Commission recommend for the purpose of securing more uniformlty?—It would be hard for me to say. Because of the position which I hold as a valuator, it would not do for me to blow my own trumpet.

6963. Suppose that there was an officer of the Government to be called a Valuer-General, and that every person employed by a Municipality or a Divisional Council should be approved by this Valuer-General?—Yes, that might do. But supposing that the officer appointed by the Government understands nothing about it, how will he get his subordinate officer to do the work?

6964. We would assume that the Government would appoint a proper man as Valuer-General, and that all appointments of valuators by Municipal and Divisional Councils should be referred to him for his approval or otherwise?—My opinion is this, that one man, one valuator, should be appointed to have the whole control of the Peninsula. It could be done. I have done it myself. He should have a certain number of valuators under him and he should train these men every day with his books, and in the property market, and should send them out to make street lists and other work. These men must be responsible for everything connected with the valuation to the Chief Valuator, who should be responsible to a Board. Then all the valuations in the Peninsula should be done at the same time. There should be a certain month in the year in which all the valuations should be done. If the valuations for the Town Council of Cape Town are to be begun in January, 1903, then all the other valuations must start in January, 1903. The whole thing can then be got properly in order. There would then be no differences in the valuations, and the books would be, more easily, kept correctly. After that, with the Board that I have suggested, of 5 members, with the Magistrate or Civil Commissioner, to take objections on oath, the thing could be properly worked. The valuator would be responsible to the Board and not to the Municipalities. After that Government Board had finished the list of objections and rectified the valuation roll they would hand it over to the bodies interested and simply say, "There is your valuation." No Councillor could then come and criticise the valuation, because it had been passed by the Government Board and on that valuation the Councils would work.

6965. Then your suggestion would resolve itself into greater care in the selection of valuators and a proper Court to adjudicate upon their work?—Yes. Then any ratepayers who appeared before the Court to object would be placed upon oath, and the valuator would have to state his reasons for his valuation. In the Courts as at present constituted, the Town Councillors do not always give the valuator a fair hearing.

6966. That principle could be extended right through the Colony, could it not?—Yes, it could be done.

6967. *Dr. Gregory.*] You have suggested a Government Board to deal with objections to valuations, but how would you arrange for dealing with undervaluations?—I would give the power to the same Board, and if the Board found that the valuator had undervalued, they should have the power to increase the valuation.

6968. *Chairman.*] After taking evidence, of course?—Yes, if necessary.

6969. *Dr. Gregory.*] But how would this Board have its attention drawn to under valuations?—In this way: the sheets of valuations would be made out of properties in blocks, and, naturally, the Board would be able to, and have the right to ask the valuator why, in a certain block, one property was valued at so many pounds and another at so much less, both properties being in the same block in the same locality. The valuator would then have to give his answer as to how the discrepancy was brought about.

6970. You would give the power to the Board to raise or lower valuations without objections being made?—Yes, and every ratepayer should have the right to go to the Board upon any other ratepayer's property. He should have the power to say that his next-door neighbour's property was undervalued, and then the Board would have the power to call upon the valuator to report, and, if his answer was an unsatisfactory one, they could raise the value of the property.

6971. You suggest that the valuator should have a seat on the Board. Do you mean as a member?—No; but to be present at the meetings of the Board to answer all questions.

6972. Would you advise that the Board be empowered to call any witnesses?—Yes.

6973. Whether objectors or not?—Yes.

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6974. Then this Board should have the power of calling for evidence and administering the oath as in a Court of Law?—Yes, the Chairman should be the Civil Commissioner or the Resident Magistrate.

6975. With regard to the four other members, what class should they be drawn from?—They would be easily selected. You have in Cape Town the managers of large institutions such as the Colonial Mutual, the South African Association, the Colonial Orphan Chamber and the Board of Executors. These people are every day in the habit of advancing money on loans and they would be the best class of people to sit on such a Board.

6976. Would you include bank managers?—Certainly; they would be impartial men and would be able to judge, from their own business, whether any property was worth the money at which it had been valued. That is what I mean by an impartial Board.

6977. Do you not think that they might be biassed by the fact that they themselves might have granted loans on the property coming before the Board?—No, the Board would not be a biassed one because the various members would be a check upon each other. They do not all do the same class of business.

6978. *Mr. Gurney.*] You are, of course, aware that the valuation roll is practically the starting point in the finances of the Divisional Council and the Municipalities, and it is of the utmost importanca, therefore, that it should be a correct one?—Yes.

6979. Not only are the rates of the district dependent upon it, but also the borrowing powers of the local authority?—Exactly.

6980. Do you not think, therefore, that these valuation rolls, in the form of books, should be handed over to the local authority added and supported by a certificate from the valuator as to the total?—Yes, that should be done.

6981. You are aware that that has not been done in the past?—Yes; but the difficulty comes in in this way; the valuator hands in his book and then the Court sits upon the valuation. You could not add and sign the book until the Court has settled that everything is in order. Whilst the roll is before the Court it is apt to be pulled to pieces, so that you could not give a certificate that it is correct.

6982. It is perhaps within your knowledge that these books, by the time they have reached the Municipal Clerk, have been in such a condition and so full of alterations and erasures that he could make any number of additional alterations upon them, and no one would know whether the alterations had been made by himself or the valuator or anyone else?—That is so. But my position is this, that I hand over my book at the Town House, then attend the Court of Objections, and my responsibility ceases when that Court closes

6983. Should you, then, not be required to hand in a signed statement with an affixed total, which total should be deliberately increased or decreased by the Court of Objections?—That could be done.

6984. Should it not be done?—Yes. If you are prepared to pay an experienced man properly for his labour and trouble, the thing might be done in a much better manner, but in the way in which they pay at the present moment, and in the way in which things are now done, there are sure to be things which are objectionable. Now they put an advertisement in the paper calling for tenders for the work. They say that the lowest tender will not necessarily be accepted, but it generally works out that the lowest tender is accepted, and then, if a man finds that he has to do all that work for that small amount of pay, he gets careless and says to himself that he is only getting so much for the work, why should he exert himself. They should fix upon a man and make it worth his while to do the thing well.

6985. Are you aware that the valuation rolls in certain places are in such a state as I have described, so that it is impossible to tell whether many of the alterations have been made legitimately or otherwise?—I do not know, but I would not be at all surprised at it.

6986. In the case of Woodstock have you heard of complaints in that direction?—No, I have not; but I made the last valuation for that Council and they say that it was more satisfactorily done than former ones.

6987. Do you know that an investigation took place at Woodstock by a Government officer, and the Council's attention was drawn to the state of the valuation rolls, that there was a book without a cover, and nothing to show whether all the pages were there or not, and endless alterations of amounts and so forth?—I did not know the details.

6988. If that was so it would show that the basis upon which the Council's business was conducted was an unsound one?—Yes.

6989. Were you addressed on the part of the Council on that subject?—No.

6990. You were not called upon by the Council upon that point?—No, but it must have been a very slovenly valuator who would hand over his valuation roll in such a state.

6991. And it must have been a slovenly Council which would accept such a book from a valuator?—The municipal work all depends upon the clerks they employ. You may employ a man at £100 or £120 a year who will do the work just as he likes, or you might employ a man at £600 a year and his system would be quite different. All these things are to be judged by experience.

6992. As a matter of fact you admit that the valuation roll is of such importance that it should be a true and authorised one?—I do.

6993. You have explained that the variations of the valuations in Divisional Council properties and municipal properties are due to the difference in time at which they are made, but has there not been a recognized difference made in the valuing for Divisional Council and municipal purposes?—I am not aware of it.

6994. Are you not aware of any understanding that Divisional Council properties are not usually so highly valued as Town Council properties?—No, my only reason for the difference that exists is that of the valuations not having taken place at the same time.

6995. The valuation at Woodstock for Municipal purposes having taken place in one year, and for Divisional Council purposes having taken place at an earlier period, would you not expect to find the Municipal valuation higher than the Divisional Council valuation, because of the general rise in property?—Yes.

6996. How then would you account for the difference in a valuation which shows the Divisional Council valuation at more than the Municipal Council valuation?—That might be caused by the clearing off of a number of properties in one year to make a vacant piece of ground on which to build a huge building later on, and the valuation taking place whilst the land is practically vacant. That of course would be remedied in a very short time.

6997. But without those circumstances why does it happen that one finds properties under the Divisional Council valuation in 1899 higher than under the Municipal Council valuation in 1900?—I cannot say. I can only speak of the valuation which I made.

6998. You cannot, then, tell us why some properties are rated at a higher figure in the earlier valuation roll?—I cannot. I might be able to do so if the particular property was brought to my notice.

6999. Would you not when making your Municipal valuation be armed with the valuation made at the previous valuation?—I would not look at it at all. If I was to make a valuation to-morrow I would not even refer to my own previous valuation. I would simply take each property as I found it. I would make a house to house valuation. That is my contract, and I would go from house to house and take from four to five months in doing the work. While I am engaged upon a valuation I have to start every morning at 8 o'clock and stick at it until 5 o'clock, and then spend every evening until 11 o'clock working up my books.

7000. Do you mean to suggest to this Commission that the increase in the value of property already existing in Wynberg a year ago, has been as much as £800,000 within a year?—I think so. At any rate I shall have to face the Court of Objections upon my valuation roll.

7001. And you will really contend that the rise in Wynberg property has been so much?—I shall. There are many instances which I could quote to the Commission to bear out my statement. Take, for instance, the late Attorney-General, Sir James Rose-Innes's property. We know what it cost him, and we know that it was recently sold for £8,250. Take the piece of ground belonging to the Sauers. A syndicate bought that. Compare the prices, and you will see how property has gone up at Wynberg,

7002. But has it gone up anything like you indicate within the last year?—Certainly; Cape Town properties even within the last eight months have gone up in a manner somewhat wonderful. You must not lose sight of the fact that, although a number of our population are going away, we have a stream of population coming in. I have argued the question with some very good men, men of firm standing and ability, and they have asked me to give an account of how it is that properties are so high. My answer has been that the population is increasing and the area of suitable land is getting smaller and smaller. We are getting importations into the country with new ideas, and, without wishing to speak of any one class, I would ask you to look at the Jews and see what they have been doing during the past two years in town. They buy a property and demolish it altogether, simply paying for the land, but they build upon the land a class of property that will give them a vastly increased

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rental. They will build a property with shops at the bottom and a staircase between each couple of shops to the three or four storeys which are above the shops. Each storey is let off as a flat, so that you have practically three or four houses and a couple of shops upon a piece of ground which formerly only carried a couple of houses. They are taking all the wits out of us while we are sleeping. When we awake it will be too late. Our second generation and our third generation will be at sea altogether because no one is looking after them. No one is studying their interests. When you hear of a property sold to-day at a big price you stare, and ask "How is it possible?" but the Jew will show you how it is possible. He will very likely sell that same property to-morrow at double the figure. You must look these facts in the face. You must not forget that the Colony is still going forward. If you do you are making a great mistake.

7003. It is satisfactory to hear you taking such a roseate view of things, but to come back to the point, you assured us just now that the Town Council of Wynberg did not instruct you to increase the valuation?—They never did so.

7004. Then how can you explain the statement of certain ratepayers that when they were asked to answer the questions of the valuator, as to the rent they were paying and the other points he raised, they were assured that while the valuation was to be very largely increased they would be compensated by a lower rate?—I do not remember the conversation. It may be that certain people enquired if the valuations were to be increased, and that I said to them that if I made a valuation I made a consistent valuation, and it would be better to have a consistent valuation with a low rate than an inconsistent valuation with a high rate.

7005. You were not authorised to make a promise of a lower rate?—Certainly not.

7006. You were not competent to guarantee a lower rate?—Certainly not; I have nothing to do with it. I might have said that, according to my own views, a lower rate would be levied than the last one.

7007. You were only expressing a pious hope and not making any promise?—It was not a promise. It might have been a conversation after the valuation, when I said that I thought that the rates would be less than was the case last year because the valuation was a consistent one. I remember seeing something about this in the paper: a gentleman saying that I had increased the valuation over a million, and that the rate instead of being 2d. would only be 1¼d. The gentleman who gave his evidence here must have gone through the figures or he would not have been able to give his evidence.

7008. You spoke just now about the difficulties which you had met in your experience as a valuator, owing to people not being obliged to answer questions, and that if these difficulties were removed by legislation your work would be very much easier?—It would be of great advantage to the valuator and he would not be subjected to insult.

7009. He would be able to get through his work much more quickly, too, I suppose?—Yes.

7010. And that would make the valuations much less costly?—Yes, undoubtedly. Let me give you an instance of how my time may be wasted. Say I am taking the valuation at Wynberg. I knock at Mrs. Gurney's door to ask for information. The door is opened perhaps by a servant. I ask whose property this is, and the answer will be "I don't know." I will then send the servant with a message to her mistress, asking these questions. Down will come the answer, "These are questions which you must go to Mr. Gurney about. You will find him at his office in town, and he will tell you everything."

7011. Of course this case is hypothetical; it is not actual experience?—No, it is actual experience. I am not picking you out purposely.

7012. But it is not an experience which took place at my house? You mean it is a typical thing which occurs and which might happen at Wynberg?—Yes, and all over.

7013. You spoke about the Courts of Objection, as at present constituted, being in favour of the ratepayers?—Yes.

7014. Is that always the case?—Not always, but largely so. The influence of the voter upon the Councillor has a great deal to do with it.

7015. You would not say that that was the case at the last Court of the Cape Town Council?—No, I would not say that.

7016. That Court was not in favour of the ratepayers?—No, because they made increases on valuations, but I will say that that was not the case at the Divisional Council Court. There, if it had not been for the Chairman, Mr. Runciman, and Mr. Hare, the reductions would have been very much larger.

7017. *Mr. Stewart.*] Was the abuse to which you referred just now as having been subjected to, received from Civil servants?—Oh, dear no; it was not from any one class in particular. Mr. *G. H. Moller.* 12th May, 1902.

7018. You referred to the conditions of pay, and you said that the higher the pay for a valuation the better the chance for a good valuation?—I would not say that altogether.

7019. But I gathered from your evidence that the effect of reducing the payment for valuations generally was to get bad valuations?—Yes, I was referring to some of the suburban Municipalities, which are in the habit of giving from £30 to £50 for a valuation, with the consequence that men get careless about their work.

7020. You mean that, generally, in cases where the remuneration is too small, the work is badly done?—Exactly.

7021. *Chairman.*] There is now no authority to approve of a valuer? There is no check on the Municipality or Divisional Council in taking what valuator they please? They can appoint whom they like at whatever pay they like?—By the Act they must call for tenders.

7022. *Dr. Anderson.*] There have been cases in which the Court of Objections has increased the valuation?—Certainly.

7023. Has that occurred in other Courts besides the Cape Town Court?—Some of the Courts have not got the power, but the Court of the Cape Town Council has got that power under their Act.

7024. *Dr. Gregory.*] On what basis would you fix the remuneration to be paid to valuators?—As a valuator myself I would not like to give an answer to a question of that sort.

7025. Would you fix it on a percentage of the valuation?—No, that would be something enormous. I would say this, that I would fix the valuator's salary at a certain amount per annum.

7026. *Chairman.*] With reference to the difference between Municipal and Divisional Council valuations, did you make the valuation at Rondebosch last year?—I did not.

7027. You have not been employed at Rondebosch?—No. Mr. Fock has generally undertaken the valuation of Rondebosch.

7028. I see that the Municipal properties in Rondebosch on the 31st December last year were put down at £841,000, and yet for the Divisional Council valuation, on the 17th March of this year—2½ months afterwards—they were put down at £1,018,000. How would you account for that?—I can give no information upon that point. I am only speaking for myself and the work I have actually done.

7029. You could not say whether it was owing to the different methods of valuation or to difference in the areas valued?—I could not.

TUESDAY, 13TH MAY, 1902.

Present:

Hon. Sir BISSET BERRY (*Chairman*).

Dr. A. J. GREGORY.	Mr. W. E. GURNEY.
Dr. A. J. ANDERSON.	Mr. T. STEWART.
Mr. LAWRENCE.	Mr. J. E. R. DE VILLIERS.

Messrs. Frederick Hermanus Schundorf Hugo (Mayor of Simonstown) and *William Smale Gillard* (Town Clerk of Simonstown) further examined. [*Mr. Gillard* answered most questions.]

7030. *Chairman.*] Is there anything more you would like to say, Mr. Hugo, on the question of the water supply to Simonstown?—Only that we should like the Admiralty to give us an increased contribution. Messrs. *F. H. S. Hugo* and *W. S. Gillard.* 13th May, 1902.

7031. With regard to Noordhoek, we had some evidence given to us yesterday to the effect that nothing had been done by the Kalk Bay Municipality. Now in view of that, would the Simonstown Council be prepared to move in the matter?—We should be prepared to move in the matter if you have been correctly informed that

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nothing has been done by Kalk Bay, but I may say that we sent our Engineer to the Kalk Bay Municipality to ascertain how matters stood, and he brought back a verbal report that the Kalk Bay Municipality had bought all the rights to the water at Noordhoek for £300 or £350. We went really to the Silver Mine Stream, which is in the district of Noordhoek.

7032. When was that ?—About a month ago.

7033. Is that Engineer still in the employ of your Town Council ?—Yes.

7034. What is his name ?—Mr. Attridge.

7035. Could he come here to give evidence ?—Yes, and I am speaking of what is called the Silver Mine Stream ; the other, Noordhoek, is away to the right hand side.

(Mr. Gillard pointed out on the map the locality).

7036. That covers the whole of what would be used as a collecting area ?—I understood so ; we did not prosecute our inquiry further when the Town Clerk of Kalk Bay said that his Municipality had bought those rights. We gave our instructions distinctly to the Engineer to go over there and to follow the stream with a view of ascertaining whether we had simply been gauging the overflow of the Kalk Bay reservoir or not, but when the Engineer saw the Town Clerk and got that information he returned without going any further.

7037. Can you point out the exact spot on the plan where they built the Kalk Bay reservoir ?—I cannot, but I could point out the other sources on Mr. Lancaster's farm.

7038. Those are fed by Elsjes River ?—Yes.

7039. *Mr. Stewart.*] The Noordhoek that you refer to, Mr. Hugo, faces towards the Atlantic ?—No, towards Muizenberg.

7040. Yes, but where does the water on this farm Noordhoek drain to ?—To that side ; I am speaking of the Silver Mine.

7041. To whom does the Silver Mine farm belong ?—Mr. Carsten.

7042. Through whom did you propose to buy the water ?—Through Mr. Colyn, but it was Mr. Carsten's farm. Mr. Colyn simply came to us in the position of a broker and offered us the concern.

7043. Where does this water flow to ?—To Fish Hoek Bay.

7044. Now, has the water which fed the upper part of the river been intercepted ?—So we were told by the proprietor.

7045. In other words, the Kalk Bay Municipality utilises a portion of the catchment area above the point where you propose to take the water ?—So we were told ; that is to say, that we would only be getting the overflow, but whether this is so or not we cannot say. We are told that it was Carsten's water that Colyn wanted to sell, but the Engineer could give you better information as he was deputed by the Municipality to go and see about the matter.

7046. The farm where you propose to take the water : is that called Noord Hoek ?—No, Silver Mine.

7047. As a matter of fact, Noord Hoek farm is quite a different farm ?—Yes, and it is not a farm—it is a village.

7048. And the water passes through the farm or village called Noord Hoek, and enters the Atlantic ?—Yes, at Chapman's Bay.

7049. It flows into the sea on the Western side of the Peninsula ?—Yes, but the streams flow altogether in different directions.

7050. As a matter of fact Noord Hoek is in one catchment area and Silver Mine Stream in another catchment area—entirely different catchment areas ?—Yes. At Noord Hoek there are about twenty or thirty farm houses, and there is also a stream of water, but it will never do to bring that to Simonstown.

7051. *Chairman.*] How far is Simonstown from Silver Mine ?—I think about two hours.

7052. About ten or twelve miles ?—Yes.

7053. Do you know the place called Orange Kloof farm ?—At Hout Bay ?

7054. Yes.—I know that place.

7055. How far is that from Simonstown ?—I cannot say ; Wynberg is at least about 16 miles, and I daresay Orange Kloof would be about another ten miles.

7056. *Mr. Stewart.*] There is a large range of mountains between ?—Yes, between Orange Kloof and Table Mountain, and also on the other side.

7057. *Chairman.*] Now, Mr. Hugo, what do you do about drainage in Simonstown ? Have you any pipes or sewers put down ?—Oh yes, through the whole town, with the exception of a portion of it, at the back of Seaforth, where no drainage exists as yet.

7058. Are most of the houses connected ?—Yes, and we are connecting some now.

7059. Are there any water-closets ?—Oh yes.

7060. Then you have very little done by the tub system?—Yes; but we have a little done because we are so curiously situated. There are those poor people in what I might call the back slums.

7061. Have you any idea of how many houses have water-closets?—Roughly speaking, about 250.

7062. And is there enough water for them to use all the year round?—Not all the year round.

7063. Then what is done when the water is scarce?—The water is cut off during stated hours in the day when we find it becomes scarce.

7064. And the people have to do the best they can?—Yes.

7065. You have no salt water installation there?—No, except for the streets.

7066. What does it cost you to work the tub system amongst the poorer class?—They pay sixpence per pail for each removal.

7067. Do you make that an extra charge in addition to the rates?—Yes, that is an extra charge.

7068. Have you any statement showing the amount of revenue derived from that source as compared with the cost of working?—We do it at a very small loss—it nearly pays for itself.

7069. Do you have it done by a contractor?—No, it is done by our own men; for the last five years it has only cost the Council about £200.

7070. A year?—No, that is the amount for the whole five years.

7071. *Mr. Lawrence.*] That is your loss from revenue?—Yes.

7072. *Chairman.*] And that becomes a charge upon the rates?—Yes, that is so.

7073. Where is all that collection deposited?—It is deposited in the sea at Mackerel Bay.

7074. How far from Simonstown?—About three-quarters of a mile.

7075. Is it deposited on the sea-shore?—No, in the water.

7076. How is it done?—The men empty the pails into the sea.

7077. They walk in and deposit it?—Oh, yes, and then the current carries it away.

7078. Does it disappear?—Yes.

7079. There is a good tidal flow there?—Oh, yes.

7080. Is that where the sewerage pipes of the Municipality have their outfall?—No, the sewerage outfalls are facing the town proper. There are three outfalls—one at the Town Pier, one at the Railway Station, and one at Cole Point.

7081. Who engineered these for you?—With the exception of one, I think the Council engineered them themselves.

7082. What kind of outfalls are they? Are they iron pipe outfalls?—Yes, into the sea.

7083. And the pipe goes some distance into the water?—Yes; I may say that the Engineer of the Dockyard some years ago prepared the plans for the outfall at the Railway Station and Town Pier.

7084. Is there any nuisance resulting from that?—No.

7085. All the sewage is carried away by the current?—Oh, yes; the current is very strong there. To give an instance: some time ago the "Gibraltar" lost a torpedo at her moorings and it was washed up at Somerset West. There was another instance where a man was drowned at Simon's Bay and was afterwards washed up at Muizenberg It has also happened that spars have dropped into the water at the Admiralty pier and have washed up at Muizenberg at the spot where the rocks line the water.

7086. *Mr. Lawrence.*] Are the removals compulsory?—Yes, once a week.

7087. Do you find that sufficient?—Yes, quite sufficient.

7088. Have you had any complaints from Muizenberg to the effect that the sanitary arrangements of Simonstown interfere with them, owing to sewage washing up on their beach?—No. Before the advent of the plague, I may say, the removals used to take place every fortnight, but since then we have made it weekly.

7089. Have you had any complaints from Somerset West Strand?—None.

7090. *Chairman.*] In the matter of your streets and roads, Mr. Hugo, have you any difficulty in Simonstown?—In what way do you mean?

7091. Do the south-easters blow your roads to pieces sometimes?—It is not exactly the south-east wind, but it is the sand which cuts up the roads, just the same as you would cut them with a saw.

7092. Do the south-easters sometimes cover up your roads with sand?—Yes, if there should be a stoppage place for the sand on the road it soon accumulates through the action of the wind.

7093. Is that a source of expense and trouble to the Municipality?—No, but it is to the Divisional Council, because it is outside the Municipal area.

7094. In the town proper you are not troubled in that way?—No.

7095. Well now, the Divisional Council levies a rate upon property within the Municipal area of Simonstown?—Yes.

7096. What does that amount to?—I could not tell you at the present moment.

7097. Do you know the length of road which the Divisional Council maintains in Simonstown?—About a mile in the town.

7098. And in the district?—Well, there are three or four roads in the district. There is one road which is at least about 8 miles in length, and then there is another one which may be described as "a nice sand path," and which has to be maintained at a very great cost by the Divisional Council, as it requires to be put into repair after every shower of rain. Then there is another road to Kalk Bay.

7099. In all, you say, about 8 miles?—Oh, no, that is the length of only one road—that is the road to Wildschutbraud.

7100. Is that in the district of Simonstown?—Yes.

7101. I want to know the total length of road that the Divisional Council maintains in your district?—I could not tell you, but it is certainly much more than 8 miles.

7102. Are those all within the Divisional Council Ward of Simonstown?—Yes, as far as I know.

7103. *Mr. Lawrence.*] And Noord Hoek?—That is a branch of a Divisional Council road; it is about four miles from Fish Hoek to Noord Hoek.

7104. *Chairman.*] I wanted the length of road that the Divisional Council maintains in your Ward or Field-cornetcy?—We have about three Field-cornetcies in our district, but would not the Commission like me to send in this information?

7105. Yes. I have here a return from the Divisional Council showing the revenue obtained by the Council from your ward. I wanted to have your account of what the Council does for you?—I will send you in the correct length.

7106. Main roads and branch roads?—Exactly.

7107. And I shall be glad if you would distinguish between roads that are within the Municipality proper and roads that are thereout?—Yes, I see.

7108. In the Municipality itself the Divisional Council have only one mile of road to maintain?—Yes, the main street.

7109. Do you know what that costs them?—I could not tell that.

7110. You don't want the Divisional Council to get out of maintaining that one mile of road?—Well, no; as long as we go on as we have gone on we are satisfied, and I may say that with regard to the district outside, I think the Municipality of Simonstown has been particularly blessed by the Divisional Council.

7111. You don't want to change the arrangement?—No, not unless we could see a better arrangement proposed.

7112. Would you like, as a Municipality, to maintain that road?—If we must do it I suppose we must do it, but I maintain that Simonstown should not be taxed, and that the Government should pay the taxes of the town. The whole of South Africa is benefited by Simonstown, and, therefore, this money should come out of the general revenue of the country. If they had not a man-of-war at Simonstown to protect South Africa, what would they do then?

7113. Let us confine ourselves to Divisional Council matters?—Yes, sir, but these things are in one's bosom and they will flow out; one cannot help it.

7114. As a Municipality, you are not particularly anxious to take over the maintenance of the road?—Personally, I don't mind, but I think it would be a matter for the Council to give their opinion, though as far as I am concerned it could be taken over to-morrow.

7115. To maintain it out of the revenue of the Municipality?—No, we are too poor down there.

7116. That is the point: are you able to maintain it or not?—At the present moment we are not able.

7117. Supposing that you got the rates which the Divisional Council receive from you?—Then I think we might maintain them.

7118. Do you know what the Divisional Council raises now?—No; I wish to give my opinion independently, and only on matters I know personally.

7119. There was a resolution adopted by Conference which was considered by your Municipality; can you tell us what the result was?—That the Council would take over the control of the Divisional road from the Railway Station to Oatlands Bay.

7120. How much, about?—Two miles, and that was with the understanding, of course, that the Divisional Council levied no rate in Simonstown. Then, of course, the Municipal Council would be in a position to levy the increased rate, besides it would do away with dual control. We find it very difficult at times, because if we

want to lay a drain in the main street we have to approach the Divisional Council in the matter, and the same with our water pipes. There is no friction, it is true, but it is very unpleasant sometimes to work with the two bodies, and the Council considered that they should have the whole control of that road.

7121. The Municipal Council resolved that it would be in favour of taking over the maintenance of that portion of the main road that passes through the town on condition that the Divisional Council ceases to rate property within the Municipal area?—Yes, that is so. We have a Municipal and Divisional rate at present, and the Council considered that there should be no Divisional rate.

7122. Was the Municipal Council aware that at that time the Divisional Council's outlay on that piece of road was about £1,000, while all the rates levied by them in the whole of the Simonstown Municipal area was only about half that amount?—Yes, they knew that, but they considered that they would be able to maintain the road at a lesser cost than the Divisional Council.

7123. Was there no proposal made with regard to a contribution to roads outside the Municipal area?—I don't know.

7124. They rejected that part of the resolution passed by Conference?—I don't know whether that was considered or not.

7125. Could you send us a copy of the Minute of the Municipal Council when this discussion took place?—Yes.

7126. About the subject of lighting: have you anything to say? Have you got the electric light there?—No.

7127. How do you light the houses?—With paraffin lamps.

7128. You have no gas?—No.

7129. You are not particularly interested in the subject of electric light?—We started that subject long ago; we wanted the Navy to join us so as to have one compact concern together, but up to the present moment nothing has been done.

7130. Are there any wash-houses in Simonstown?—No, but there are wash places where the Malay women wash. It is on a piece of ground belonging to Mrs. Anderson.

7131. Does the Municipality look after that and prevent nuisances occurring there?—Yes, our Inspector goes round.

7132. Where does the water come from?—They get the water from the Municipality; formerly there was what was called a Malay tank, out of which they were supplied.

7133. Have you any plans for increasing your drainage scheme?—Yes, several; and we are having some more made.

7134. Who is designing them for you?—Mr. Attridge, the Town Engineer of Simonstown.

7135. Are the plans so far prepared that we could see them?—No; we cannot prepare the plans definitely, because at Seaforth there are a lot of houses being built so that the plan at present is only temporary. The docks are taking in the whole of the space, and of course we will have to see how things develop, so that the present plan is only for the temporary drainage there; we would have to consult the Docks people; besides the great difficulty is that we want money.

7136. You don't want any alteration in your Municipal boundary?—We have no suggestion of that kind at present, but the time is coming when we will have to ask for further extension.

7137. But not immediately?—No, we can wait a little, but we will require more land for native locations, and I understand that there are about 2,000 people coming out from England, so that a good many more houses will be built.

7138. What is the number of the natives in the location there?—In each of the two locations there are from 200 to 300 natives.

7139. And at the present time, are those natives under any kind of control, or do they go and build their huts wherever they like?—No, we point out a spot where they could build and they must keep within that area. We have now a headman among the Kafirs whose duty it is to see that the sanitary arrangements are provided for.

7140. Is that within the Municipal boundaries proper?—Oh yes, within a quarter of an hour's walk of the railway station; that is where the Municipal Location is. The other is a private location.

7141. *Dr. Gregory.*] What is the area of your own Municipal Location?—I suppose 100 yards square.

7142. And how many huts are there on it?—I could not tell you the exact number at the moment, but I should say about 80.

7143. And what kind of huts are they?—Some of them are built of wood and iron and some are built of the ordinary wattle.

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7144. And some are built of rubbish that is collected?—I don't think now; we destroyed all those huts when the Plague was on.

7145. How many people inhabit these huts?—From 200 to 300, but the number varies, as they come and go from time to time.

7146. Do they pay the Council any rent?—No, they only pay sanitary fees.

7147. You just allow them to squat there?—We have no authority under the Municipal Act to provide a Location. We simply do this in order to keep the Kafirs under our eyes and under the eyes of the police.

7148. On whose advice do you say that you have no powers to provide a Location?—From the Act we understand that we have not got the power. We understand that we must have a new Act of Parliament for that purpose.

7149. Are you aware that every Municipality up-country has established its own Location?—I believe that they have a special Act of Parliament. We asked for information not long ago on the subject, and we got the regulations from East London and Beaufort West, from which we found that the locations there were established under an Act of Parliament.

7150. But, as a matter of fact, you have the power to establish a Location and also to frame regulations for its good order and sanitation, and besides you have additional powers given to you under the Public Health Amendment Act?—(No answer).

7151. What sanitary control have you over these men?—We have appointed a headman over them.

7152. When did you appoint him?—During the plague, and after the plague was over the Council thought that his services were no longer required and he was discharged, but soon after his discharge our Sanitary Inspector found that the sanitary conditions were not what we would like them to be, and the headman was again taken on.

7153. You are aware that the Resident Magistrate of Simonstown had to report very strongly on the condition of the location about a week or two ago, especially as regards the condition of the huts, because of the way in which they were allowed to be put up, and owing to a collection of rubbish surrounding them?—I remember the report, but in so far as the rubbish is concerned I think it referred to the Town rubbish heap and not to the rubbish of the location.

7154. But the rubbish is deposited just in front of the location?—Below the location.

7155. Close to it?—Yes, but the rubbish is burning all day. I may say that the Medical Officer of Health reported at last night's meeting of the Council that the sanitary arrangements in connection with the location were very favourable.

7156. Who is your Medical Officer of Health?—Dr. Morley Hoare.

7157. When did you say he made that report?—Last night, although I must point out his report was for the month of April, but it was read at last night's meeting of the Council.

7158. Under a misapprehension you have considered that you cannot establish a location on proper lines and charge rents?—Yes.

7159. Now presuming that you could; would the Council be prepared to establish one?—I may say that this question came before the Council upon it being brought to their notice by the Colonial Secretary as to the desirability of establishing a proper location; the Council then considered the matter and came to the conclusion that the only place where they could have a proper location with safety was on the top of Red Hill. Since then nothing has been done. They must first make proper provision for a place for the location before it can be established.

7160. What do you mean by safety?—Public health and public safety.

7161. Then as your present location is not on Red Hill, it is a danger to public health?—No, I would not say that. At the time I speak of there were only about 150 or 200 Kafirs to provide for, and we are now told that we might expect 2,000.

7162. As a matter of fact have not your location arrangements been the subject of representation to the Council, not only by the Government but by the Admiralty as well?—Not by the Admiralty, as far as I remember; only by the Resident Magistrate.

7163. Some time ago you had your location just above the reservoir, so that the drainage from it and the filth accumulated there, were only prevented from getting into the water by an intercepting trench having been dug above the reservoir?—We did that to suit the Admiralty. We had some stores there and we allowed the Admiralty to use them temporarily for the occupation of some refugees working on the Naval Hospital. It was merely an act of kindness on the part of the Council.

7164. *Chairman.*] That is done away with now?—Oh yes.

7165. *Dr. Gregory.*] Yes, but there were a number of shanties up there occupied by women and children?—Yes.

7166. Where did Sir John Jackson place his location ?—Above the cemetery.

7167. Is that Municipal land ?—No, that is on land reserved for defence purposes.

7168. He had not to obtain your sanction ?—Oh, yes.

7169. And under whose sanitary control is this location ?—Under our control, and it is looked after by our Sanitary Inspector.

7170. And who deals with the removals ?—We do.

7171. Who pays the sanitary charges ?—Sir John Jackson, Limited.

7172. How many persons are there in this location ?—About 250.

7173. What sanitary rate do you charge for the Municipal Location ?—We charge a man and a woman 3d. each per week and a single man 6d.

7174. And what sanitary accommodation is there for their use ?—They have closets with sanitary pails, and we make the removals.

7175. How many of these closets are there ?—I think four.

7176. Four closets for 250 people ?—Yes.

7177. And what is the amount of revenue that you get from them in sanitary rates ?—It varies very much. For some time before we appointed the man as head man we got him to collect the rates for us, and we used to pay him half the amount collected. As far as I remember he used to bring me about 15s. a week, but the amount varied very much.

7178. So that he would take 7s. 6d. of that 15s.?—No, he gave me 15s. for the Council, and his share would also have come to 15s. This collection was made by the man who is head man now.

7179. And you used to give him 50 per cent. of what is paid for collecting the rates ?—Yes.

7180. Is that the only rent or charge made upon the people there ?—Yes.

7181. Do they earn any wages ?—Yes.

7182. What is the average amount of wages they earn ?—4s.

7183. *Chairman.*] Per day ?—Yes.

7184. *Dr. Gregory.*] Do you not consider that, whether white or coloured, no class of person should be allowed to live rent free on the Municipal ground ?—Yes; but as I have stated before, we were under the impression that we could not establish a location, and that therefore we could not charge the proper fees.

7185. But you practically have established a location without controlling it ?—I cannot say that we have done that, but we thought it desirable in the interest of the public to point out a place where these people could locate themselves rather than having them all round the town.

7186. In other words, you have permitted a location ?—Yes, with the advice and sanction of the then Resident Magistrate.

7187. And it is within your knowledge that all up-country towns, no matter how small they are, control their own locations ?—I am not aware that all do that, but as far as my enquiries have gone that is the case.

7188. So that Simonstown is rather an exception in the Colony in regard to its location ?—As far as I know. I may state that Mr. Runciman, who was Mayor at the time, was also of opinion that we had not the power to provide a location, and I thought that he had some authority for holding that view.

7189. You should have the power, you think, to force the Kafirs to live in a location which has been properly established ?—Oh yes, we should be able to compel the Kafirs to be within their location limits at a certain time, which is the case at Beaufort West.

7190. Any Municipality can have the Curfew Act if they like to adopt it ?—Yes.

7191. *Chairman.*] If you had no location proper and your Kafirs were allowed to go about the town promiscuously, your Curfew Act would not be of much use to you ?—No.

7192. What extent of land do these Natives occupy at the present time ?—About 100 yards square in a little kloof where the huts are dotted about.

7193. How many huts are there ?—About 80 or 100. The Engineer will know exactly.

7194. You have in Simonstown an area of close on 3,000 acres ?—Yes.

7195. Do you know the extent that has been built upon by white people ?—No, I could not say.

7196. Could you give the Commission any idea of the comparative extent built and unbuilt upon ? That is to say, in Simonstown do the European houses occupy one-half or one-fourth of the Simonstown Municipal area ?—I think about one-eighth.

7197. That would be about 400 acres ?—Yes.

7198. Well then, you have a fairly large piece of ground over for a native location ?—We have not the power because so much of this land is vested in the War

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Department for defence purposes. We have not the control; that is in the hands of the Army and Navy.

7199. Under whose control is it?—The War Department and the Navy.

7200. I shall be glad if you would inquire into these matters, and let the Commission know the details giving us the Municipal area of Simonstown which is under the sole control of the Municipality?—I could almost point that out from the plan that is before the Commission.

7201. Then we should also like to know what portions are reserved for special purposes, such as defence?—Yes: I could point that out on the plan, too, I think.

7202. The plan is rather small, and I think it would be better for you to find out the exact information for us, because the Commission would like to know these things so that we might be in a position to say whether more land would be required for a native location or not. It would be as well if a resolution were adopted giving prominent attention to the desirability of setting apart a larger amount of Municipal areas for the purpose of native locations?—As a matter of fact we have asked for more ground for slaughter-houses, Infectious Diseases Hospital, and a Cemetery, and we were informed that the portion we required conflicted with the interests of the War Department. The question is before the War Department now, and it is for them to say what extent of land they require.

7203. Well then, you see that if the War Department required a large portion of the Municipal area some means must be devised if possible to give the Municipality land elsewhere in order to carry out necessary arrangements?—(*Mr. Hugo*): Where will you get more land? It is already all appropriated.

7204. By whom?—By the Navy and Army, but we are all intermixed at Simonstown.

7205. Who owns the land round about Simonstown?—Lots of people. I own some myself.

7206. Large farms?—Yes, very large farms. I own a large farm myself, and I don't mind doing something for the benefit of public health.

7207. The point is this: if the Admiralty Administration require a large portion of the Simonstown ground to an extent which would make it impossible for the Municipality to carry on its ordinary operations, then means might have to be devised, if possible, for giving the Municipality land somewhere else?—Yes, we are like a rat in a trap. We have applied for the land, but they say that the Army and the War Department require the land for defence purposes, although in many instances these people are not using the land.

7208. The Commission will have to deal with these matters, and if evidence came before us shewing that a large portion of the Municipal ground of Simonstown is required for purposes which are not Municipal, some arrangements may have to be come to?—Yes.

7209. And if you put all the evidence you can before us, the Commission might refer to it in the report which they hope one day to draw up.—Yes, the other day the Colonial Government vested in the Admiralty the whole of the face of the mountain from about the centre of the town right out to the South-east Beacon.

7210. That comes out of your Municipal area?—Yes, and it takes away our means of revenue also.

7211. I shall be very glad if you will let us have an exhaustive report, and enclose the correspondence that has taken place between the Colonial Government and the Municipality and between the Municipality and the Admiralty, and so on?—Yes, now that we know what you require we can make a very good report for you.

7212. I suppose you don't consider it advisable to be joined on to any other town like Kalk Bay, for instance?—I would not like to give my opinion about the matter, though as Simonstown is purely a Naval station I do not think that the Council would be favourably disposed towards such a proposition, but of course it is a matter for the Council to decide.

7213. It would not be of any advantage to you to be united with any of the other towns?—No, the only union which would be of advantage to the Simonstown people would be a union with the Government in a water scheme.

7214. You would not mind joining in with other people in a water scheme?—Simonstown would not like to join, although they would not mind joining with the Government.

7215. You mean the Colonial Government?—Yes.

7216. But not with other Municipalities?—I am, of course, speaking for myself, and I should not like to implicate the Municipality without consulting them.

7217. How was it that Mr. Runciman came to leave the Municipal Council?—I don't know. Perhaps it was that he was dissatisfied with certain things which I am not satisfied with, and for which reason I am going to leave the Council too.

7218. Why are you going to leave the Council?—Because I don't get the amount of respect that I think is due to me in the chair, and I don't want to be ruled; besides I told them that I would take the chair only as a temporary measure.

7219. Did not Mr. Runciman leave the Council because of some trouble about the rate that was to be levied—some people wanted a small rate and others wanted a bigger rate?—But I would not have left the Council if I differed with the other Councillors as to the amount of rate to be levied.

7220. What rate did you levy?—1½d.

7221. How are you going to come out with that?—If they had made my pillow soft and left me alone, I would have come out with it.

7222. Will you come out with it now?—Well, the plague business took away a large amount of money, and when I came in in December I had practically *carte blanche*. There was no money in the box.

7223. Then the 1½d. rate was not enough?—No.

7224. Then you should have a 2d. rate at least, should you not?—I suppose about 3d.

7225. How was it you did not appeal to the ratepayers?—I was not Mayor.

7226. Who was the Mayor?—Mr. Runciman.

7227. And he wanted to appeal to the ratepayers?—I am not sure. (*Mr. Gillard*): There was no need to appeal to the ratepayers because the Finance Committee proposed a 2d. rate only.

7228. And the Council would not take it?—No; but I may state that the Council resolved at their meeting last night to levy a rate of 1d. in the £ additional.

7229. Then you will have to go to the ratepayers?—Yes.

7230. So that Mr. Runciman was right?—Yes, but the Council hoped that the deficit would be made up out of the next year's revenue, owing to the increased valuation.

7231. *Dr. Gregory.*] Had you any special drains or works in hand?—No.

7232. So that there was no set back in that way?—No, even with the 2d. rate we were simply doing what we are doing now.

7233. Will this extra rate clear all the liabilities?—Almost. There would be a slight deficit, because even now we have exceeded our estimates.

7234. As this rate cannot square matters, why was not the whole matter at once put before the ratepayers?—You see the rate is now 2½d. and we are already ½d. in excess of what the Finance Committee recommended last year, and then the increase of revenue from the increased valuation will be considerable. I might also state to the Commission that a resolution was passed last night with regard to the question of representation upon the Council from the Imperial and Colonial Governments, to which the Council is favourably disposed, considering that both the Imperial Government and the Colonial Government have interests in the town.

7235. Representation on the Municipal Council?—Yes, as for instance they have at Gibraltar, I think, where an Army representative is on the Council.

7236. Practically, however, your Council has got itself into financial difficulties?—I cannot say that, because we have only to levy a further rate and we shall overcome the difficulty. We stand in a sound position.

7237. What was the main cause which induced the Council by a majority to have a 1½d. rate?—I could not say. I suppose the idea was that they could come out with that rate, and, if not, to levy a bigger rate next year.

7238. Do you think the ratepayers are of the same mind as the Councillors in regard to getting the Admiralty to join them?—I think they would be, and, as a matter of fact, some of them have expressed that view to me because they realise that the Admiralty interest would be the interest of the town as well.

7239. Have the Admiralty officially or semi-officially been approached in this matter by the Council?—No. In the agreement, however, under which the £350 was granted by the Admiralty there was a clause stipulating that they should have a voice in the expenditure, but as a matter of fact they have never exercised that power.

7240. The Colonial Government also contributes £350?—Yes.

7241. By a special Act of Parliament?—Yes.

7242. Did the Colonial Government reserve any right in that way?—No.

7243. They simply contribute the £350 out of hand?—Yes, the arrangement was made by the Imperial Government that they were prepared to contribute £350 on condition that the Colonial Government did the same, and the Colonial Government agreed to do so.

7244. And this £700 that you receive, what proportion is that of your whole expenditure?—Well, you see we really don't handle the money. Treasury passes it into Treasury in the place of a loan, so that we do not consider that £700 at all.

Messrs. F. H. S. Hugo and W. S. Gillard. 13th May, 1902.

7245. *Chairman.*] That amount was capitalised?—Yes.

7246. And the money was put into works?—Yes, the reservoir.

7247. *Dr. Gregory.*] But you practically get the benefit of it?—Yes.

7248. What is the total amount of your receipts from rates?—About £1,300.

7249. Then the Admiralty and the Colonial Government combined contribute about one-third of your receipts?—No; as I say, we take no account of the £700.

7250. If you did take account of it, it would be so much more?—Yes.

7251. *Mr. Stewart.*] You state, Mr. Hugo, that you are not of opinion that the Simonstown Council would be willing to enter into any joint water scheme or sewerage scheme with any other Municipality, but that they would be willing to join with the Government in a water scheme?—Yes.

7252. Supposing, however, that Simonstown does not require a very large quanity of water, it might be awkward for them to become co-partners, but would they be willing to take a supply as a consumer of so much a day and have no financial interest in the scheme?—That I cannot say. I should like to have the advice of the Council on that.

7253. *Chairman.*] It is a point which you might bring before them?—Yes.

7254. *Mr. Stewart.*] It would serve your interests equally well to get a certain supply of water at a moderate charge without being co-partners?—Yes. (*Mr. Gillard*): I might state that it is the wish of the Council that the Commission should try and assist them in getting an increased contribution from the Imperial Government.

7255. *Chairman.*] If you would place all the various disabilities under which the Municipality labour before us, we may make some recommendation?—I will get the information and send in a report. With regard to the water question, I should like to add that personally I am of opinion that there would be sufficient water for Simonstown from Elsjes River, for some time to come, if the scheme could be carried through; and this opinion is shared by one of the Councillors.

Mr. George Muirhead Clark, M.A., A.M.I.C.E., examined.

Mr. G. M. Clark.

7256. *Chairman.*] Your full name, please, Mr. Clark?—George Muirhead Clark.

7257. Your qualifications?—I am Master of Arts of the University of Cambridge, having taken my degree in honours in Mathematics and Science, and I am an Associate Member of the Institute of Civil Engineers in London; and besides a Fellow of the Physical Society of London. I may state that whilst I was in Cambridge I was engaged in some original research work, the result of which was afterwards published by the Royal Society. I refer specially to this, because that class of work gives one a considerable training in observation and in appreciation of changes of conditions. At present I am in the service of the Colonial Government as Electrical Engineer.

7258. How long have you been so?—For about 2½ years.

7259. You came after Mr. Trotter?—Yes. I came after Mr. Trotter left, which was about 3 years ago.

7260. In the first place, I suppose you wish the Commission to understand distinctly that in the matter of supplying electric energy for lighting, the less we look at it from a sentimental point the better?—There is no sentiment about it whatever. Fifteen years ago people looked upon it as a toy, but those who are engaged in the work now do not look upon it from any sentimental point of view. They look upon it as business pure and simple.

7261. The object of Electric Works is to make money?—Yes.

7262. On the part of local authorities also?—The supply of electrical energy for lighting or other purposes is a business and the object of the supplier—both Company and Municipality—is to earn money.

7263. I suppose there is a common general desire of the public to get the electric light when they can?—Yes, it is a great thing to be up to date.

7264. One question is whether electric light is under every circumstance the best form of illuminant that a local authority should adopt?—It is a question of how much it will cost them to go in for it, and of how much they will be prepared to put into it.

7265. I understand that you have made a considerable study of such electric economics?—Yes, I have for the last ten years. Ever since I started, ten years ago, I have kept in touch with the business. I was engaged in London in one of the largest companies which supplied Belgravia, Westminster, and St. George's, Hanover-square, a total area of about two square miles of the richest district in London. That is the Westminster Electric Supply Corporation, Ltd. The capital of the concern when it started was about a quarter of a million, and within ten years they increased it to

about three-quarters of a million, so that the whole business is done on a very large scale now.

7266. Could you give the Commission any idea of the number of works that are in operation at the present time in the United Kingdom?—The number of works in operation there is something over 200, but of course they are increasing year by year. Out of this 200, 33 of them were small concerns which were running their business without statutory powers. They are without orders granted by the Board of Trade. That is, about 15 per cent. of the works are running without any statutory authority. The others have had conferred upon them certain powers and certain obligations by the Board of Trade Orders.

7267. Can you tell the Commission how many of these works are under the control of the local authorities, and how many under the control of Companies?—Of the works in operation with statutory powers 110 belong to local authorities and 60 to Companies.

7268. Then I understand there is a difference between what is called high pressure works and low pressure works; would you give the Commission some idea of what is meant by those terms?—That is one way in which all these concerns can be classified. A high pressure system is where you generate your electricity at high pressure and distribute it at the high pressure over the area of supply, and it is subsequently converted into low pressure supply. If you have a scattered area, the mains must be long, and, generally speaking, high pressure will be used, whilst in a town that is compact and has a smaller area, a low pressure system would be used. There is a good deal of loss which takes place in the transmission of the current, and this distribution loss depends upon the amount of current passing down the copper cables. In the case of high pressure transmission you will have smaller and less expensive copper cables, but there is a loss of energy in transformation. In a low tension system the copper cables have to be heavier. The point that has to be considered is the interest in the capital invested in extra copper and the sum that has to be paid for extra coal burned to supply the loss of energy A balance has to be struck between these two before a system can be selected. As a general rule high pressure is used in a scattered place, but on the other hand when you have a compact place a low pressure is only needed. Take, for instance, Cape Town, which is very compact; here they use a low pressure system, whereas in the suburbs which are scattered, a high pressure system would be required. On the whole, a low pressure system has the best chance of success, not so much because it is a low pressure system, but because that system is put into a place that has already favourable conditions.

7269. Now, have you anything to say with regard to the progress that electric lighting works are making?—The progress has been very rapid in all these works. I have just referred to the Company with which I was connected where they started with a quarter of a million capital, and in 10 years they had increased it to three-quarters of a million. They increased it on the average by £50,000 a year for 10 years. That is very rapid growth. And the number of works which have been started have also increased with great rapidity, showing how things have grown. Electric supply dates back practically to 1882 when the first Act was passed, and from that time up to 1888, seven works were opened. In 1888 a second Act was passed which I might explain later on, and since then the works have increased very rapidly, so that up to 1892 they had got up to 40 works in operation. In 1895 there were 99, and in 1900 they had got up to 170, so that during the last few years the rate of progress has been very rapid indeed.

7270. What is the particular feature of this new Act?—The first Act gave the local authorities the right to purchase the undertaking from the companies at a breakup price at the end of 21 years, which was a very short period for men to put their money into the business. I suppose they thought it was too short a time for them to expect a return. But by the Act of 1888 the period was extended to 42 years, and then people thought that they might see a return for their money, and investors were willing to put money into the business. For such a concern you must have a permanent investment, as the thing has to grow, and it was no use expecting investors to put in their money for the period specified in the first Act of 1882.

7271. Have you made any estimate or can you make any statement as to the amount of capital invested in the United Kingdom in electric supply works?—The amount of capital invested is something like £20,000,000 at the present time, and the works are growing rapidly year by year.

7272. And can you compare that with the amount invested in gas works?—I cannot tell you what capital has been invested in gas works, but the annual revenue from gas works comes to about the same figure.

7273. That is a fact, not merely a general opinion?—No, that is a fact.

7274. You have ascertained this to be the case?—Yes, I have got it from very reliable authority.

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7275. Is that owing to the general conservatism of the people?—Yes; gas is used to an enormous extent, and since the introduction of electric light the consumption of gas has increased rapidly. Because of the better quality of light experienced by them, they are not now satisfied with the number of lights they had formerly. Where perhaps they had one gas light they now want two.

7276. You have given us the total revenue from gas works. Have you got the total revenue from electric works?—About $1\frac{3}{4}$ millions.

7277. And the total annual cost of the electric lighting works?—One million.

7278. A difference only of three-quarters of a million?—Yes.

7279. And that would work out at not much more than 4 per cent. on the capital invested?—Yes, a small percentage.

7280. Of course, there are few companies which would pay a better percentage than that?—Oh, yes, some have made as much as 10 per cent. gross profit. Eight concerns, I think, have made that.

7281. The average rate is how much?—It varies between five and seven.

7282. *Dr. Gregory.*] Is that due to their being mostly run by the Local Authorities?—No, it is due, I think, to the fact that electricity is an expensive thing to supply, and after all we know that people do not value the light very much. They are accustomed to pay so much for oil, and they don't wish to pay more for the new light, but of course now the people are gradually beginning to appreciate the light.

7283. *Chairman.*] Have you formed any idea as to the size of the concern that is likely to be remunerative?—Well, taking companies and local authorities, there are really few remunerative concerns which are small; that is to say which have a capital under about £20,000, and they run up in an individual case to over £1,500,000—that is the lighting of the City of London. Of course there is a great variation in the importance of the different concerns. Some have, though I suppose few, under £20,000 invested. Under the Local Authorities, concerns involving over £90,000, all shew a surplus; and the deficits among the low pressure are with one exception below £50,000. Of course, it depends largely on your number of consumers, because all the large companies are in a position to pay a dividend, with one exception, and that is in the case of a high pressure company which has erected very large works. The high pressure companies working at a loss run to something like £100,000 whilst the low pressure ones are all under £50,000. Those concerns with a capital under £50,000, whether managed by a local authority or by a company, do not possess any great chance of earning a surplus, but high pressure plant requires larger capital before a surplus can be paid than low pressure plant. There is one particular concern where they have spent half a million of money, and it is a very peculiar case because it has only been in existence for about 2 years, and they have expended this very large sum of money, so that they are looking far ahead of the present requirements. The capital expended is far in advance of what the revenue is at present, and, as I say, it is a very peculiar case.

7284. I suppose the earning power of a concern of that kind would depend a good deal upon the number of lighted lamps as compared with the length of wire and the amount of machinery they have in use?—Yes, if you have a very scattered district the expenditure would be greater for each lamp that you get connected, because you require more mains, and consequently you have to spend a greater sum for the connection. In the district which I was connected with of only about 2 square miles in area of supply, there were about 400,000 or 500,000 lamps. That means 200,000 lamps to the square mile. But here, in Cape Town, they have something like 45,000 or 50,000 lamps connected, so that for the same area you have got ten times as many lamps in the one case as you have in the other. Of course you have compensation because it is less expensive to lay down your mains in a new town such as this than in London. In any case, in a scattered district the earning capacity is less. The first outlay on mains is very much heavier for a scattered system than for a compact one. At the commencement, mains have to be laid in many streets, and then take up only a few lamps, but as more houses are supplied along the mains the only additional expenditure is for making the connections.

7285. That would apply more strongly to the suburbs than to the city of Cape Town?—Oh, yes.

7286. Have you any statement to make as to the average amount of capital invested per light?—It varies very much and depends a great deal on local conditions as to whether they are capable of large expansion and so on. There are few concerns which have a capital expended that works out under £1 10s. per lamp, but most of them would average from between £2 to £4. One Local Authority has gone up to an expenditure of about £7 or £8. That is the highest I know of.

7287. And of course the return depends upon the length of time that the lamps are alight?—Yes, for instance, some lamps only earn a few shillings, and it costs three to

four pounds capital to supply each lamp connected, so that no one Local Authority or company could ever make a thing of that sort pay. There is, however, one peculiar case that I know of where a Local Authority spent the very large sum of about £7 per lamp, and still managed to show a surplus at the end of the year. But it depends a great deal, in a case of that sort, on the amount that the Local Authority likes to charge itself for public lighting, and in the case that I have referred to the public lighting of the streets bears a high proportion of the supply required for private lighting, being 56 per cent. of the total supply. In this case the Local Authority charges themselves something like 4½d. a unit, and they charge the private consumer something like 5½d. per unit. So that by charging themselves a high rate they were able to show a surplus. In a business like an electric lighting concern the whole matter is largely a question of bookkeeping as to whether you would shew a surplus or a deficit. It is a matter of treatment in the book-keeping of the Authority.

7288. The same thing applies to other matters as well in Municipalities?—Oh, yes, in a great many ways. Municipalities go in immediately for public lighting; while companies have mainly the supply to private consumers.

7289. Public lighting in that sense would include places like churches, theatres, halls, and the like?—No, only street lighting.

7290. I mean as to the desirability?—Yes, and a club is one of the most desirable things, especially in London where they sit up till one o'clock in the morning.

7291. It seems from what you say that the average earning power per lamp may be very small?—Yes, the average time over which a lamp burns is about 1¾ or 2 hours a day. Though the hours of darkness average about 12, the lamp average is usually only 2 hours a day, and then, of course, it must be borne in mind that many lamps would not be used at all after they had been put in.

7292. That would only give you 700 earning hours in the year for the average?—Yes, but public lamps, of course, when they are used all night would give a larger number, probably something like 4,000, and in the cost of supply there would be the difference in the consumption between that period and when they used only about 2 hours to be considered.

7293. Do many companies make any other use of their energy besides in lighting?—Yes, they are all anxious to do so. Their engines are only supplying a very small quantity in comparison to the time that they might be employed; it is something like 10 per cent., and they could very well be employed for supplying current for heating purposes and industrial purposes, such as driving motors. In that case they would be at work in the workshop for eight or ten hours a day, which would mean a very different consumption than when they are at work for two hours a day. In Liverpool the lighting power and the traction power are supplied from the same station. A traction load is a more favourable one to supply than a lighting load, as although the momentary fluctuations are greatly due to starting of cars, still the demand is more uniformly distributed throughout the day. There are times of greater demand, such as dinner-time, and so on, but the proportion of maximum demand to the average is not so accentuated as in a lighting plant, where the principal demand is in the evening, and bears a high proportion so the day demand. This cannot be avoided, as you cannot get rid of the fact that people will use light at night and not in the day time.

7294. You say that the same Company would use the same plant for traction loads and for lighting loads?—Yes, from one station.

7295. *Dr. Gregory.*] Can that be done with low pressure?—Oh, yes. Tramways are supplied by energy generated at low pressure.

7296. *Chairman.*] And I suppose there is a method of calculating the amount of energy consumed?—Oh yes, it is possible to measure it extremely accurately. It can all be reduced to units.

7297. You can measure in units what your traction engine takes and what is consumed by the customer. What is a unit?—I don't wish particularly to define a unit in technical terms, but the unit is the measure in which the electricity is sold One unit is suffieient to light a 16-candle lamp for 16 hours. It is a standard of measurement that is all.

7298. Now are there any special disabilities affecting Local Authorities in regard to electric lighting works?—No; when they take up the supply of electric light, a question becomes one of capital, of system of distribution, or of the cost of the work, or of expenses of management. The most important point is raising capital, although at the present time people seem to be perfectly willing to give loans to Local Authorities; but the time may come when they may not be able to get money so easily. Then besides the original capital raised, a Local Authority should always be prepared for additional capital expenditure. An electric lighting business is not a

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concern that can be compared with the building of a reservoir which is constructed and is done with; with the electric lighting you have the first expenditure, and besides that you have to continue it year by year. Local Authorities at Home can borrow further money by application to the Local Government Board, which is the central authority overlooking the needs of the Local Authorities.

7299. How does the set-off for depreciation affect Local Authorities?—The English accounts are kept in a slightly different way by Companies and Municipalities. The Companies write aside depreciation and the Local Authorities write aside a reserve fund, which can be brought up to 10 per cent. of their capital expended. The matter of depreciation is of very great importance in the electric light industry. If the Company is one where the earning power is not big enough both to pay a dividend and to write off depreciation, it is a matter of some concern when money is required for further extension because if a dividend can be declared then financiers will be more willing to put more money into it.

7300. I suppose the Local Authorities will have to recognise the fact that in a very short time after their installation is made, the whole concern may become obsolete?—We have always to look forward to that. A boiler cannot be expected to last more than 20 years; after that it must be taken out and replaced by a new one, this should be paid out of depreciation and not out of an increase of capital. But besides this depreciation of plant, there is a more serious concern, and that is that the whole system may become obsolete, and the whole of the plant may have to be changed. There are many places in England for instance where they have completely changed their plant.

7301. That must be a source of great embarrassment to Local Authorities?—Yes

7302. And with the sparse population in our neighbourhood here, we are under special disabilities?—Yes, that is a very great difficulty. The conditions in Cape Town not so much, but the suburbs are not so favourable for electric light, because you have a very scattered district and you have to construct a large amount of mains in comparison with what your earning power would be especially as your expenses and and cost of labour are very high. Besides, your people are not very willing to pay a high figure because they know what is paid in other places, say, in England, and they don't see why they should pay more here.

7303. The community as a whole is not one that would require large lighting facilities?—The habits here of the people are of course very different from those of the people in London. The people here go to bed very much earlier and then you have not got the same conditions of the weather here as you have in London where you get foggy days.

7304. And there is not much demand for motor use?—Yes, there is a fair demand. There are a good many lifts being run. In one way and another the Corporation plant has got rather behindhand with the great expansion that has taken place.

7305. Are the motor lifts in Cape Town worked by the Corporation?—Yes.

7306. While the tramways are in the hands of a Company?—Yes, entirely.

7307. Are there any other special disabilities that communities labour under in this connection?—I don't know that there are.

7308. Have you made any study of our local supplies here?—I have to a certain extent.

7309. How does the cost of the supply to the consumer work out here as compared with the cost to the consumer in London?—Well, you would hardly recognise the figures, they are so different here from the figures that I have been quoting. For instance, up to last year the charge for private lighting energy was just under 10d. per unit, and the Council charged themselves for public lighting something like 5d. per unit. In England the statutory limit is 8d., and all the charges are below that. A comparison between the figures here and in England is a very difficult matter under all the different circumstances.

7310. Could you give us any comparison between the figures for Cape Town and the figures for the suburbs?—In the suburbs public lighting is done by contract at so much per lamp per night, and as far as I can see it is 1s. 0d. per unit for public light, and 1s. 9d. per unit for private light.

7311. Are those the uniform charges throughout the suburbs?—That is the average charge.

7312. 1s. 9d. to private people per unit, and for public lighting about 1s. 0d. per lamp?—Yes, and then I believe they also look after the lamps and supply new ones where necessary.

7313. And the high charge is largely owing to the scattered condition of the suburbs?—Yes, they have an enormous area of about 7 miles long and 2 miles broad, making a total of about 14 square miles, and they are obliged to supply houses in any

part of their district, for which they have to go to the expense of laying mains. Then of course when they started in the suburbs they did not perhaps start on a large enough scale, as it was very difficult to say how the suburbs were going to grow. They made, I suppose, a sort of estimate, but apparently they did not make it sufficiently large, and in that and other ways things are rather against them.

7314. Have you any idea of the capital invested?—About £100,000.

7315. Then your remarks with regard to the limit of surplus would not apply in this case?—They are just about creeping up to that. They have certain agreements with the Municipalities for the supply of the light, but all the agreements do not expire at the same time, and I understand that the Municipalities are at present holding meetings as to whether they should join and have one agreement for the whole of the suburbs or not.

7316. Is that what you call low pressure supply?—Yes; in Cape Town it is low pressure. In the suburbs, at any rate in Rondebosch, they have high pressure supply, but the energy is sent through transformers to low pressure lamps. In Wynberg again they have a low pressure supply, so that they have practically two schemes working in their district of supply.

7317. Have you seen any dividends published?—No.

7318. Do you know what they are?—No.

7319. Then the question of developing light from electricity is hardly one on which you could advise the Commission, so as to guide us in any recommendation we might desire to make in favour of an electric lighting system or against it?—The best development is to get plenty of population—a big compact town.

7320. At the present time you recognise that we have not got that?—No, not in the suburbs.

7321. And the inference from that would be that the Municipalities in taking up these enterprises would run a risk of making a loss or of giving the light only at a very high cost?—You cannot compel the people to take the light, so that your charge is limited by competition in the form of other illuminants, because if your charge is too high people will not take the light. It is quite a different matter with water, which is required to be taken by the whole of the community. It does not matter to me whether my neighbour uses candle light or electric light, but in the matter of water and drainage it is quite a different matter, because thereupon the use of the water depends the health of the whole community, and people are compelled to use sufficient water in order to have a proper drainage scheme. Whereas, with electric light it is quite a different matter; we will always require water, but we never know when electric light may be replaced by something else.

7322. *Dr. Gregory.*] You are well acquainted with the Cape Town system of installation?—Yes, fairly well.

7323. What is your opinion of it as a whole?—In what way do you mean—whether it is on the right system?

7324. Generally.—It has been put on the right system. They have been rather unfortunate like many others in that they have not been able to foretell the future. They started their works at the Molteno reservoir on too small a scale. They soon found that they had to extend them and they added works in Dorp Street, and now they are putting down further works in Dock Road, where they had commenced the foundation already, when a dispute arose as to the ownership of the piece of ground upon which they are building. The works on the Dock Road are to be large works. They are going to have there something like 6,000 horse-power and of course they will have considerable sized buildings and machinery.

7325. In your opinion then, they have not displayed the foresight that they should have done?—I don't know about that. I cannot say what amount of foresight they should have had.

7326. What advantages were there in placing the engine at the Molteno reservoir?—I think they did so in order to use the water supply as an auxilliary source of power.

7327. As a matter of fact, do they use that?—Yes, to some extent, but they have had to augment it by steam power, and it is very expensive to haul coal up to the reservoir.

7328. The fixing of the work at the Molteno Reservoir was somewhat ill advised?—I don't know. It may have been the best thing, in their opinion, at the time. I was not here at the time.

7329. *Chairman.*] Where does the water come from that is used there?—From the reservoir.

7330. *Dr. Gregory.*] Do you know what the number of days is during which they use the water?—No, I have not got the details.

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7331. And you consider that when they have finished their works under contemplation they will be thoroughly up to date?—Yes. The trouble with the town business has been that they originally started with a capital of £90,000, and until quite recently they had not extended that capital. You cannot increase electric lighting works out of revenue at all. You must increase your capital expenditure, and they have rather tried to keep within the £90,000 which they originally had as a liability. And you cannot finance a business of that description in the way they propose. The total revenue is too small to allow of a large sum being placed aside for increasing those works. For instance, in the case of the Westminster Company to which I have already referred, they would have had to take about £50,000 a year from their revenue which amounts to about £150,000 a year, so that there would be hardly anything left for other expenditure.

7332. In your opinion, are the cables of the Cape Town Council, as they are laying them now, likely to be permanent?—Oh, yes; but of course if they get more lamps connected then they would require more cables, but they are going the right way about it in laying them underground; and the overhead work will probably all disappear.

7333. You said that the average cost in England is about 4d. or 5d. per unit?—Yes, that is the average charge. The maximum that you could charge in England is fixed by the Board of Trade at 8d.

7334. But what is the average supply?—Do you mean the average of private supply?

7335. Yes.—There are about 20 concerns which charge under 4d., another 20 under 4½d., another 20 under 5d., about another 20 under 5½d., another 20 under 6d., and about another 20 up to 8d. So that the average is from 4d. to 6d., but as a matter of fact there is no real average.

7336. Then with your knowledge of the working expenses out here, do you consider that the charge of 9d. a unit by the Cape Town Council compares favourably with the charges in England?—Yes, they compare very favourably with the charges at Home. In fact considering the price that one pays for coal here as compared with the price paid for it in England, and also considering the expense of labour and the class of labour, then I think the price charged by the Cape Town Council is really low. At Home one gets coal for about 17s. 6d. per ton, whereas out here you are glad to get it for £3.

7337. Then what is your opinion of the Cape Peninsula lighting as compared with the lighting at Home?—Considering the district they have got to deal with and that it is a small concern, I must say that it is very difficult to see how they could supply it at a figure below 2s. But of course if they charge any more people will not come to them.

7338. As a matter of fact, it is really on the same footing as gas—the cheaper you make it the more business you do?—Yes, the smallar your charge and the more people you can get as customers the better.

7339. And the larger your company or your system, the cheaper it can be done?—As a rule, the size of the thing is the principle factor, but there are many other matters to be considered.

7340. You are aware that the Harbour Board are providing their own electric light?—Yes.

7341. And they are going to provide their own electric motor power on an extensive scale?—Yes.

7342. And the Railway Department are having their own electric light?—Yes.

7343. And they will probably go in for electric motor power?—Yes.

7344. And the Cape Town Council will naturally lay themselves out for further power?—Yes.

7345. Taking all these into consideration have you any advice to offer the Commission as regards an amalgamation by which the whole of these works could be put on one footing?—If you could compel people to come in it would be a very nice thing for one Authority, but it seems an advantage in some cases to have a supply of power in your own hands entirely. Then you know exactly where you are, and you are entirely responsible for it. And the difference in your cost when you get beyond a certain stage is not so very large.

7346. Then would you advise the Harbour Board to maintain theirs in their own hands?—Yes, as they have to work their own machinery, unless, of course, they could get exceptionally favourable terms.

7347. And would you say the same with regard to the Railway Department?—Yes, they are big enough to manage their own.

7348. Then with regard to the tramways, would it not have resulted in a considerable saving had the local authorities taken over the tramways?—It would have been a considerable saving to the lighting people, but I understand that the tramway

people are not at all anxious to do any lighting. They are quite content with their running powers.

7349. No, but I mean if the local authorities had run the tramways and supplied the power?—Yes, in that case.

7350. And supplied the light for the Peninsula?—Of course, if you have a big concern like that; because it is as a general rule better to have a big concern than a small one.

7351. In considering the question of amalgamation of the Local Authorities, would you consider the taking over of the tramways and the electric lighting power as something quite distinct?—Do the tramways come within the scope of the inquiry by this Commission?

7352. Sooner or later they will have to be dealt with?—But is it before the Commission?

7353. *Chairman.*] It is scarcely before us, except in so far that it might be so from the point of view of an argument being founded on it for one amalgamated Municipality empowered to take over the tramways; but it is scarcely before us directly?—(No answer).

7354. *Dr. Gregory.*] The Local Authorities have the right to take over the tramways?—Yes, eventually.

7355. And they would have to combine, as it is one system running right through?—Yes, that is a difficult thing. But this difficulty is not confined to Cape Town. It will occur in London. There you may have your works in one place and the distributing mains in another district; that will have to be settled. Some parts may have works with no mains and some may have mains with no works, and so on.

7356. But in considering the question of taking over the lighting of the Cape Peninsula, it might bear on the question of taking over at the same time the tramways?—There would be only one generating station for the tramways. The question is whether the suburbs are all to be amalgamated, or whether they are all coming into Cape Town. If that is so, then you will have the tramways worked inside the toll at Woodstock.

7357. Supposing that the tramways were taken over by the Local Authorities, could not all those works be profitably used for lighting the Peninsula?—You would have to start to lay your mains, which would be radiating from the Toll, and it would be a question of technical detail as to how much it would cost.

7358. But assuming there is no running on different lines, would the tendency in your opinion be that they would always run a different station?—I think that most probably the lighting and tramway power station would be separate

7359. *Chairman.*] The power station would be erected with the view of having enough energy?—Yes; the tramway people have none too much room.

7360. And none too much energy?—They are cramped up there.

7361. Yes, and they have not sufficient energy, because sometimes the trams stop for want of power?—At present their works are undergoing a period of transition and change.

7362. *Mr. Stewart.*] Can you give us a brief outline of how an enlightened Municipality sets about inaugurating these things in England?—The first thing they have to do is to apply to the Board of Trade in order to get what is called the Provisional Order. When that has been done they have to prepare a scheme which is laid before the Local Government Board for enquiry, and if the result is favourable then they are authorised to borrow the necessary sum of money for carrying out the work.

7363. What steps do they generally take with regard to getting scientific advice as to the best method of supply in these matters?—At Home the electrical profession is very full of consulting engineers and the result is that every Municipality has a consulting engineer who is responsible for carrying out the work. At the present time the Municipalities, taken all round, have been in a singularly fortunate position in that respect; these engineers have not only advised them but have also watched the work grow, and of course it has been to the interest and credit of these engineers to see that the work is properly carried out, so that the Municipalities have been very well off in the way of advice.

7364. But however good the executive engineer in their employ may be, is it not a fact that they generally call in outside engineering advice from men who have had large experience in other towns?—Yes, they do call in outside advice. Edinburgh has one of the most successful lighting stations, and besides their executive engineer they also called in a consulting engineer, whose advice they required on the more important features of their undertaking. The resident engineer is responsible entirely for the carrying out of the works, but with regard to the future—there it is perhaps where the advice of a man is required who has a much wider knowledge.

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7365. In other words they want a man of large experience to advise them?—Yes, because the whole thing becomes a question of growth.

7366. Have you had opportunities of judging of the relative merits of Municipal management as compared with Company management?—I have tried very hard to get at the two things, but it is a very difficult matter, because you can get no two places—one run under a Municipality and another under a Company—which are exactly alike. I have taken cases where the total capital expended is about £100,000 and where both the systems were low pressure systems and I find that the figures make very little difference. Other people have made comparisons: for instance, a Commission was appointed in the United States of America, and they drew attention to this fact in one of their reports. It is the 14th Annual report of this Commission on Labour and it deals with water, gas and electric light; and after considerable inquiry that Commission came more or less to the same conclusion that the conditions of places differ so much and in so many respects that it was impossible to definitely draw a comparison as all the various conditions of supply must be taken into consideration in each case. I did make an attempt by considering not the actual cost but the percentage each item bears to the total to get at the actual difference between the Municipal and the Company working, but it is a very long business, and one has to take into consideration the cost of material in the different places so as to arrive at the exchange value of the commodity in the same place. For instance, in the North of England fuel is cheaper than in the South of England. The result of my attempt is that in small concerns a Municipality pays more in wages than a company but spend less in management than a company.

7367. Of course in all electrical concerns of some magnitude very capable men are necessary for their proper management?—I think we can say in these electrical industries that there are some of the most able engineers engaged.

7368. I am speaking more of the general management?—In the general management also you can certainly not run a big concern under poor management.

7369. Is it not so that the fact that Municipal bodies change entirely in their constitution is regarded as some detriment?—One of the principal things certainly is a fixity of purpose, as you have to look ahead. You must at least look ahead 18 months or 2 years, and with the Municipality you cannot get that fixity of purpose which would enable you to do that, whereas with a Company you have more or less the same men as Directors for a number of years, and even when they do change you generally have a general manager under them who is fixed.

7370. Now coming to the question of cost: you pointed out the fact that the works were really in use for a comparatively small period of the day, and that it would be of advantage if they could have other work to do at the same time?—Yes.

7371. Do you happen to know anything of the pumping plant of the Albion Spring?—No.

7372. Would you accept the fact that this pumping plant is not used to its full extent and but very little in winter?—Yes.

7373. Would it be of some advantage if the pumping station of the Albion Spring were combined with the electric light station?—It depends on the horse-power that can be given. If it is a reasonable quantity then it might be worth while to join with the other. It is entirely a question of the amount of work that can be got out of it, as to whether it would be worth while joining with another scheme or not.

7374. In other words, it is entirely a matter of the relative size of the job?—Yes.

7375. Now you know that Cape Town pumps salt water?—Yes.

7376. Would it be a feasible scheme to combine their pumping machinery with the electric light machinery for both works?—Oh yes, one engineer could look after the running of the engine, and you could have a common set of boilers. But of course the question would still remain whether it would be worth while.

7377. A decision in such a matter depends on very careful examination?—Yes, you must know exactly all the details. Of course you can at once say that one man can supervise two engines, but as to whether you are going to make anything out of it, that depends entirely upon the details.

7378. In a combination for electric lighting purposes for the whole of the suburbs, would it in your opinion be better to have one central station than to have several small stations?—The present Company of course are operating for the combined area in all these Municipalities and if they were to put in a combined station it would have a certain advantage, but it all comes back again to a question of detail. You have got to work out the cost and see whether the thing is going to pay or not.

7379. *Chairman.*] How many stations are there in the suburbs?—Two—one at Rondebosch and one at Wynberg, and they are now putting in a new station at Claremont.

7380. *Mr. Stewart.*] Then it is impossible to answer off-hand whether it would be cheaper to have one station or more?—Yes, you have got to work it out.

7381. Have you considered the question of the whole of the suburbs being supplied from Cape Town; that is to say, right up to Wynberg?—I have not worked out the details of it.

7382. I ask you that question because we have had the answers here by various witnesses tending in the other direction, and it is scarcely possible to give a definite answer in that way?—Yes.

7383. That is where the Electrical Engineer comes in?—Yes.

7384. I notice in your list that you have given us here of the evidence which you were prepared to give, you mention "Form of account." Are the accounts framed in this country pretty much on the same lines as those framed by the Board of Trade?—The form of accounts kept by the Board of Trade differ slightly from the Municipal Councils there. But in this country the accounts are not kept according to the form of the Board of Trade at all.

7385. In your opinion, should they be kept in the form of the Board of Trade?—It is a very good form indeed, and it would be desirable for purposes of comparison that all the accounts in this country should be kept in the same form.

7386. Wherein lies the difference?—The difference lies in this, that the Board of Trade accounts look on electric supply as an industry as existing for more than one year, whereas the accounts kept here are on a different principle and they try to squeeze in everything in a particular year, and this should not be done in the case of industries which last over several years. This system is especially unfavourable in the case of such concerns as electric lighting works.

7387. In other words, you are of opinion that for industrial concerns the accounts should be kept in a commercial form?—Yes, so as to meet the needs of the case.

7388. Then I wish to put to you the general question with regard to Government control; do you think it is desirable that Government should have some control over electric lighting concerns?—Companies are controlled under the Companies Act. Then there are Standing Orders of the House of Assembly, under Municipalities, and I think we are suffering from the want of control. It would prevent a scheme being rushed through when the ratepayers are not very much interested in the concern. The principle is recognised at Home with the Local Government Board, where schemes with plans are brought forward at an inquiry held by an appointed Inspector; the principle is the same with the House of Assembly practice, where, according to the Standing Rules and Orders, plans are to be submitted of the proposed work, and the whole scheme is carefully gone into. The ratepayers are scarcely in a position to judge of the merits of the scheme.

7389. In other words, in your opinion the men dealing with the business are really not always capable of judging as to the best scheme to be adopted?—Yes; I suppose you have had a lot of evidence here as to what Cape Town is going to be ten years hence. Now that is a difficult thing to get at, and you want men of large experience to go into such matters. The question is not what really the electric plant is now, but what it is going to be in the future. You are dealing with a growing concern.

7390. One of the points of an electric scheme is that it deals with the future?—Entirely.

7391. *Dr. Anderson.*] It is a difficult matter to give the average charge per unit for electric lighting, but is it not a fact that Companies make an arrangement by which they charge so much for the first hour and then after that much less?—There are many schemes, and one of them is to make a high charge for the first hour and a smaller charge after that. All these schemes exercise a considerable influence upon the consumer and that is why these different methods are adopted, as the consumer looks at the small charge which comes after the first hour. But of course to get at the average there you would have to take the total revenue and divide it by the total number of units sold.

7392. Then with regard to the question of the want of proper foresight—is it not a fact that many of the Municipalities in England have had to increase their capital largely owing to the fact that they have had to change their plant within a very short time as the original plant became obsolete?—I cannot say that there are many, but there are one or two cases where it has happened. And that is exactly what I referred to: if the promoters when they put up their buildings would only make provision for more room for further engines, then they would not have to put up further buildings when they want to extend their plant.

7393. But some of the Municipalities were really the pioneers and they suffered very much in that respect?—They did not come in till 1899—that was the case of Bradford. The earlier concerns were all run by Companies.

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7394. What about Blackpool? Had they not their lighting earlier?—I do not know Blackpool.

7395. *Mr. Gurney.*] From what you say, I gather that it is your opinion that when an electric lighting scheme is submitted to the Government by any Municipality, the Government should consider it from the point of view of the future?—You have always to do that, because it is the most important thing to watch.

7396. I daresay that you are aware that many schemes for public works do come to the Government Departments for criticism, and that the only points that they look to is whether a return can be expected from the money proposed to be put into the concern, and that the population or the question as to whether they should go in for a larger scheme or not, is not considered?—Yes.

7397. But you say that the Government should take that into consideration?—Yes.

7398. So that in the case of an electric lighting scheme the Government should always give full consideration to it?—If the Government has technical advisers they will always consider the scheme in all its bearings.

7399. Take the water question: when that is submitted to the Government by a Municipality with a view to raising money, the Government would criticise the way in which it is proposed to build the works, but the Government would not go into the question as to whether it is large enough or not. But you say they should do so?—Yes, you must look to the future because the country is growing.

7400. And the electric lighting they must consider in regard to future developments, you say?—Yes, it is absolutely necessary as the growth is so very rapid.

WEDNESDAY, 14th MAY, 1902.

Present:

Sir W. Bisset Berry (*Chairman*).

Dr. A. J. Gregory.	Mr. W. E. Gurney.
Dr. A. J. Anderson.	Mr. J. Lawrence.
Mr. De Villiers.	Mr. Stewart.

Mr. Theodore Vollmer further examined.

Mr. *T. Vollmer.*
14th May, 1902.

7401. *Chairman.*] Before questioning you further on the matters submitted to us, I find, on reading through your evidence, that there are one or two points upon which I would like more information. They are mainly historical, but there is some confusion in my mind about them which I would like to clear up. A certain Water Company obtained an Act of Parliament in 1882. That Company was formed for the purpose of supplying Wynberg, Claremont, Rondebosch and Mowbray, and a certain portion of Cape Town, with water. Parliament gave that Company the right to something like 2,000 acres of land on the top of Table Mountain as a collecting area?—I believe so.

7402. Were you not in Wynberg at that time?—I was not.

7403. And you do not know why no action was taken by Wynberg in connection with that Company?—I think that they could not agree.

7404. At that time Wynberg was part of the Liesbeek Municipality?—Yes.

7405. By some omission, the Bill came before Parliament without rating powers over those Municipalities?—I think so.

7406. And the only source of revenue that the Company could expect was by the sale of water to those who liked to use it?—Yes.

7407. The Act was passed under those conditions?—Yes.

7408. Nothing was done for four or five years, but all that time Wynberg, as part of Liesbeek, and Cape Town had it in their power to avail themselves of the powers of that Company?—I believe so.

7409. Do you not know why they never availed themselves of the Company?—I cannot speak positively. I do not know, because I was not there.

7410. Was the reason this—that Wynberg wanted to get the whole rights for

itself?—The Wynberg ratepayers were against having anything to do with the Water Company at all. Wynberg were too poor to think of taking over the whole business themselves. I think there was one individual—I forget his name—who took a lot of interest in the matter. I think that he afterwards went to live at Simonstown.

7411. The proposal to bring water for Wynberg by this Company was kept open until 1887?—Yes.

7412. And the Company, finding that neither Wynberg, Claremont, Rondebosch nor Mowbray wanted their services, handed over their rights practically to Cape Town with a certain reservation for Wynberg?—Yes, that is most likely. You know more about it than I do.

7413. And the 2,000 acres of land upon the top of Table Mountain were divided into 2 nearly equal parts—a half to Cape Town and a half to Wynberg?—No, Wynberg only got a very small area, so small that the total rainfall average for storage thereon is only 60,000,000 gallons annually.

7414. What was the area acquired by Wynberg?—It is practically nothing at all, just the reservoir site and scarcely anything more.

7415. How was the area divided?—Cape Town has the whole of the Back streams right up; an enormous area where the running stream goes through. Wynberg's area is a miserable little thing.

7416. In the evidence before Select Committees it was indicated that Wynberg would have over 1,000 acres by that deal?—Our land upon the Mountain is really worth nothing; land there is worth nothing unless you can store water.

7417. You mean it is only really useful as a collecting area?—Yes.

7418. Did you get a collecting area of 1,000 acres?—We got a very tiny collecting area, out of which we are storing 50,000,000 gallons annually.

7419. Do you know the extent of that area?—I do not.

7420. By the figures mentioned in the Committee, it appears that storage for something like a daily yield of 380,000 gallons of water would be available there for every day in the year, and such water, it was understood, was to be divided into three parts—one-third to Cape Town, one-third to Wynberg, and one-third to the owners who would have their private rights interfered with by the storage for Cape Town and Wynberg?—It has never worked out that way.

7421. Cape Town got its area, I suppose?—Yes.

7422. And in order to bring that water to Cape Town, a tunnel was constructed?—Yes.

7423. What has been the effect upon your collecting area of the construction of that tunnel?—As I said in my last evidence, Cape Town, in order to construct their tunnel, had to get a piece of ground from Wynberg. Where the tunnel is approached from is part of our farm.

7424. It was not part of your farm then; you did not buy the farm until a later date?—It was part of the farm.

7425. It was not part of the 2,000 acres granted under the Water Company's rights?—No, it was only some time back that we passed the transfer to the Cape Town Corporation.

7426. You do not consider that the area of land that you were given is sufficient to supply you with the quantity of water to which you were entitled?—No.

7427. Was it owing to the construction of the tunnel that the water was carried off?—Yes.

7428. Did the tunnel take all the water that fell on the area?—Yes.

7429. Wynberg's Water Act was promulgated on the 9th August, 1887?—Yes.

7430. That Act gave Wynberg certain rights, and on the 16th September, a month after the Act came into force, the Council purchased the Orange Kloof farm?—Yes.

7431. Why?—Because that area on the mountain would have been no earthly use to us without that farm.

7432. And you gave £3,600 for it?—Yes.

7433. The area of that farm was about 577 morgon?—Yes.

7434. About 1,100 acres?—Yes.

7435. You have never used that farm for collecting purposes?—Not as yet, but there are certain springs on it.

7436. You say distinctly Wynberg never obtained the quantity of water promised from the collecting area on the mountain?—No.

7437. And you have no idea of the extent of that mountain land?—I could not tell.

7438. Can you tell us whether all the water that runs off your area on the mountain is collected by you or not?—Every drop, in fact we could have collected it lower down.

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7439. But will the works which you have constructed hold all the water that you might obtain ?—Yes.

7440. You gave £3,600 for this farm of 1,100 acres in 1887 ?—Yes.

7441. And you have bought a small farm of about 70 acres in Wynberg as a sewage farm, for which you gave £7,000 ?—Yes.

7442. This Orange Kloof farm contains very valuable water rights, does it not ?—Yes.

7443. And there are 1,100 acres of it, are there not ?—We were very lucky.

7444. You were not very lucky in the other purchase then ?—We did as well as could be expected. I most strongly object to any imputation that there is the slightest doubt that we did not do our best in connection with the purchase of that farm.

7445. But you will admit that the difference in the quantity of land is very considerable ?—That is not the point.

7446. You will also admit that the larger quantity of land contains very valuable water rights ?—It was bought at a time when nobody knew what their value would be; the purchase of the smaller farm was brought before the notice of the ratepayers and they consider that we had done our best. It looks as though you thought we had not been doing our duty, whereas no other body of men could have done better.

7447. Is the difference owing to the price of land having risen ?—Yes; and also it is due to one farm being far away from a centre of population whilst the other is close to Wynberg.

7448. Yes; but the other had very valuable water rights ?—That may be, but the people did not realise it. If the purchasing had to be done now, we would have to pay a different price for it.

7449. Government has quite recently agreed to give you an additional area on the top of the mountain ?—That is so.

7450. What is the quantity of the land ?—I have no idea.

7451. Is it as large as the piece of land you had before ?—It is just one valley.

7452. What have you paid for it ?—Something like £800.

7453. Is that for the new piece only ?—Only for the new piece.

7454. Is this going to add to your water conservancy ? Is it a valuable collecting area ?—It ought to help us a little.

7455. Why did you buy it ?—It is adjoining our present piece, and it was better for us to buy it. We might require that area to make up the 50,000,000 gallons for the reservoirs in very dry years. We saw that it was an adjoining piece and that it might possibly be useful, and, as it was useless as it was, we applied for it. We can easily cut a furrow and bring the water down to our storage.

7456. As far as you know the proposed arrangements on the top of Table Mountain did not work out very satisfactorily for Wynberg ?—No, they did not.

7457. But how did they work out for Cape Town ?—Very well indeed; they have two large reservoirs.

7458. Have they got all the water they anticipated ?—I should think so, and a good deal more.

7459. You do not know positively ?—I do know. I have been on the top frequently. I know what they get.

7460. Do they get it to your prejudice ?—Yes, indirectly, because all the water used to run through the Orange Kloof, through our farm.

7461. You do not admit that that was owing to the neglect of others, and, mainly, Wynberg ?—I would not say that Cape Town was altogether to blame. Wynberg is to blame to a certain extent.

7462. Wynberg could have had all this water if they had availed themselves of the opportunity and looked into the future a little ?—Most likely.

7463. *Mr. Gurney.*] In connection with some questions which I put to you the other day concerning certain cement, you were good enough to suggest that the matter might be investigated by an examination of the Council's books. I have taken advantage of your suggestion and have made the necessary investigations. I hold in my hand an account handed to me by the Secretary, showing the cost of the new reservoir to the 31st January, 1899, and in that figures the item to which I referred, "Loss on cement, £493 4s. 2d." I find on investigation that £249 of that really represents the cost of raising the loan, and £244 4s. 2d. is the loss on the cement. This loss is due to the arrangement under which the Council had to supply the contractor with cement at 14s. per cask, and had to purchase it at a slightly increased price. The matter was, therefore, clearly in order. The loss was a *bona fide* loss, resulting from the exigencies of business. That item, therefore, is quite satisfactorily explained. Passing from that to the sale, to a ratepayer, of certain 400 casks and 124 casks, I find that these were actually sold, as you indicated,

at cost price — actual cost price; and that sale is in no way concerned with the item of £493. You have stated in your evidence that cement at that time was very scarce, and that a very much higher figure might have been realised than the cost price to you, but you expressed your opinion to us, on the 9th, on that matter, and we have it before us as a matter of fact, that the sale is as you described it—a sale at cost price, though at that time a much higher price could have been obtained by selling it in the ordinary way. I do not know that it is necessary for me to go again fully into this matter after hearing your account of the circumstances. You explained that you were advised that it must not be sold at a profit?—Yes. I am very pleased Mr. Gurney has gone into the matter, because it was necessary that the good reputation of our Council should be maintained. It was a pity that Mr. Gurney, as a ratepayer of Wynberg, and, particularly, as a member of this Commission, who could have had access to our books and would have been given every information possible, should have accepted misleading information of this nature. It has caused the Commission to lose a lot of time, and a lot of my time has been thrown away over the matter. I can always safely say this: that our Council are particularly anxious to have every matter clear and open. We do not want to have a breath of suspicion thrown upon us.

7464. *Chairman.*] Then you should be thankful to the Commission for having broached this matter?—No; it has been a waste of time to the Commission; but, now that so much has been said about it, I would like to add in justice to the ratepayer who bought that cement—although I was very angry at the time he bought it—that I have since found out that there is one matter which really redounds to his credit. Shortly after he had bought this cement of ours, and made such a bargain, another shipment came for us. It was damaged and had to be refused by the Council. Mr. Mellish, the landing agent, wrote us that at a sale of damaged cargo the cement for our Municipality had been refused to be allowed to be sold, but that damaged cement, belonging to other parties, had fetched from 7s. to 9s. per cask, and he made an offer to take our consignment at 8s. per cask. The ratepayer, however, who had bought the previous cement took this lot from us, also at cost price, so that where he benefited in one way he ought to get the consideration of having taken that cement from us when it looked like standing us in a heavy loss. We must, therefore, give him his due in that matter,

7465. *Mr. Gurney.*] In asking these questions I was only anxious to get at the truth; there was no wish to insinuate anything detrimental to the Wynberg Municipal Council. When such things are in the air it is desirable that everything should be made public and the real facts given?—Yes, they mix things up,—that is the reason why these insinuations come to be made.

7466. *Mr. Stewart.*] Do you mind explaining shortly this loss on the cement?—Mr. Gurney has explained it quite sufficiently. It is quite clear. I have nothing to add to it.

7467. *Mr. Lawrence.*] With reference to this damaged cement which you have stated that a ratepayer took over at cost price: did he do this from philanthropic reasons?—No, the cement was worth the money. He could use it; but I mention the matter to shew that he was not a grasping man, such as might have been attributed to him from the previous transaction, I do not say that he is a philanthropic man at all.

7468. It was a pure matter of business?—Quite so, but he stepped in and relieved us of what might have been a loss.

7469. I wanted it to be on record that he did not step in and make a present of £200 or £300 to the Council?—No, not at all. He did not lose on the matter.

7470. On the question of power to sell Surplus Municipal Stores like cement, I suppose the Council now know that they can sell such stores by public auction or private tender and make a profit?—I do not know that. I have heard, still, that we have no right to do it. It was held that if Municipalities stepped in and imported cement and sold it at a profit it was interfering with the trade of the town, and they had no right to do so. It was said that if they had the right to do that they might just as well set up a business of cement importers, or what not, and so interfere with the trade of the neighbourhood. I hold that this cement transaction was an exceptional case, because there was a legal opinion that we had no option but to sell it at the price it had cost us.

7471. *Chairman.*] Is there still a legal opinion that you are not allowed to make a profit on surplus stores?—Yes, I believe so.

7472. *Mr. Gurney.*] Not a written opinion, surely?—No, a verbal opinion, but recently I have not taken any notice of it.

7473. Perhaps you are aware that the Controller and Auditor-General holds strong opinions upon public bodies indulging in any form of speculation, and has frequently maintained that it is wrong for Government Departments to wildly order material in the knowledge that, if they have a surplus, it would not matter, because

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they could sell at a profit? Such speculation has been discouraged by the Auditor-General for many years, but, naturally, he has not gone further and said to any Department that, having found themselves in possession of surplus stores, they must sell them at cost price?—I am very glad to hear that, it will strengthen our hands very much for the future.

7474. *Chairman.*] Have you any public drinking fountains in Wynberg?—I think I have given my evidence very fully, already, upon that point. Our Council hold that it is a public danger to have public drinking troughs, because horses affected with glanders infect other animals.

7475. Then there are no taps that people may get a bucket of water from?—They can always get it at the station. There is a stand-pipe there, where they can take it out by means of a bucket.

7476. How far is this from the sluit where people go to dip in their buckets?—It is a good distance away. The sluit is near the middle of Wynberg and the stand-pipe is at the station. If there was any general desire we could put up other stand-pipes. We have a number of them.

7477. But how are the people to express their desire? Is it not the duty of the Municipality to provide for the public wants?—Our people are very quick to ask for what they want. We cannot give the poor people water free. If they want water they can have it by paying for it. It would not do for us to be putting up taps right throughout Wynberg for people to come and take water as they want it.

7478. *Mr. Gurney.*] There are no people in Wynberg too poor to pay for water? No, they can all pay for it.

7479. *Chairman.*] Then you ought to have powers to compel them to take water?—Yes, Parliament ought to give it to us.

7480. Have you applied for those powers?—No. We do not like to force people against their will.

7481. Would you rather force them to drink out of this sluit?—No, they do not drink the water there. It is dry in summer time; they never use the water for drinking but only for washing.

7482. It is there for them to drink from if they want to?—In winter, but not in summer; there is no water there in summer.

7483. You object to the policy of compelling the public to use a reliable water supply?—I do not think it as a wise policy to force people.

7483(a). *Mr. Stewart.*] The question was asked you the other day whether the levels of the drainage scheme are those made by Mr. Dunscombe?—No, they are not those made by Mr. Dunscombe.

7484. Did Mr. Dunscombe take any levels?—I do not know, but I know that a new set of levels have been taken and they are lodged in our engineer's office.

7485. As a matter of fact, the Municipality went to considerable expense in making a survey of the town and taking a complete set of levels?—Yes, that is the case.

7486. Some time in October, 1900, I intimated to the Town Council that as a result of an enquiry which I had made in England I had come to the conclusion that the scheme originally suggested by me for the drainage would meet the requirements of your district?—I believe that is the case.

7487. But I think I pointed out to you that, because of improvements which were being made from time to time, it was desirable that some small details in the Disposal Works should be left over as long as possible?—Quite so. I have put in letters which dispose of that question.

7488. *Mr. Lawrence.*] You said that the Military paid a portion of the cost of the drainage scheme?—Yes, one-eighth.

7489. Is that on actual cost or on estimate?—On estimate.

7490. And how are they affected if the estimate is exceeded?—It does not affect them.

7491. *Chairman.*] You promised us the reports and plans upon which you were going to work in this drainage scheme of yours?—Have you read the last letter? Professor Simpson has gone carefully into the matter, and we have the permission of the Government to proceed. That permission was given so far back as April, 1901. That matter is therefore disposed of. The letter of the Colonial Government says that they are quite satisfied, and we can proceed.

7492. You mean the correspondence you have put in to-day?—I am referring to the letter dated the 1st April, 1901. It says that the Colonial Secretary has instructed his Department to return all plans and documents, and to intimate that, subject to a certain proper provision, he is satisfied that the proposed scheme is a suitable one and the best practicable one. That was after Professor Simpson had gone into the scheme.

7493. Then do you mean that you put this letter in instead of the engineer's plans?—Yes.

7494. You mean that you cannot let us have the plans?—We do not want to open up that question again. We do not want our drainage works to be held back any longer. We have the sanction of the Government to proceed. Professor Simpson says that it is the best practicable scheme, so why should we waste any further time over it; We cannot re-open anything that the Government has done.

7495. You object to let us see the plans?—Yes, why should you see them?

7496. Have you plans for a septic tank?—We have got everything. Professor Simpson has satisfied himself that the whole thing is in order. You have a member of this Commission who can give you everything you require. I am sure that you can get from our engineer everything that you want.

7497. *Mr. Lawrence.*] But you see we cannot get him into the box?—That is your business.

7498. *Dr. Gregory.*] Your Council first applied to Government for the sanction of this scheme on the 14th of November, 1900?—Quite so. I said all that last time.

7499. And then it was found that you had not furnished the requisite information upon which sanction could be based?—I have answered questions bearing on that.

7500. So that Government on the 7th December of the same year wrote for further information?—Yes, I believe that is so.

7501. And on the 12th December—a few days later—you furnished further information?—I believe that is so.

7502. Within a week or two of that, plague broke out in the Peninsula and the work of the Health Department was in consequence somewhat delayed?—I daresay.

7503. But, apart from that, no decision of the Government could be come to because the information supplied by your Council was still inperfect?—Yes, but on purpose.

7504. But, in order to assist your Council as far as possible, as the Medical Officer of Health for the Colony was unable to give an opinion of the merits of the scheme on the imperfect information furnished by your Council, Professor Simpson was asked to report, and I will read his report as I have it here. It is dated the 19th March, 1901. He says: "The description of the septic tanks and the bacteriological filters is extremely vague and conveys no idea as to the manner in which they are to be constructed, or of the material to be used in the filters, it would be unsafe to pass any plans upon so indefinite a statement."—Quite so.

7505. Government then wrote on the 20th March, asking you to furnish further information as what you had supplied was too indefinite. Have you put that letter in?—Yes.

7506. It then appears that Professor Simpson met Mr. Stewart?—No, the plans were first put in.

7507. Professor Simpson then was supplied with further information, and on that he reported thus on the 29th March: "My opinion only refers to the disposal of the sewage, the scheme proposed may be passed on the understanding that the effluent from the filters passes on to the land referred to before flowing into the Vlei."—Quite so.

7508. The Government, being doubtless anxious not to hinder you, passed rather a hasty sanction of the scheme, in fact in my opinion it was too hasty?—They were your superiors, and should know their work.

7509. You then went on with your scheme and found that, in spite of this sanction you were still in difficulties owing to the fact that you had not got permission to go outside the area of your Municipality?—I beg your pardon; that is not the point.

7510. Then on the 8th January, 1902, you put a notice into the paper to the effect that under Sections 39 and 40 of Act 32 of 1893, the Council proposed to construct certain sewage works outside the limits of the Municipality, and that plans were open for inspection?—We have dealt with this at great length already.

7511. You then went to the Government to get their sanction before proceeding with the laying of your pipes outside the Municipality. But opposition had been experienced outside the Municipality and, on the 21st March of this year, Government replied to your letter of application for sanction to the drainage scheme, saying that as the matter was one coming within the scope of this Commission the Colonial Secretary was of opinion that it would be inadvisable to come to any decision until the Commission had had the opportunity of expressing its views on the matter. When you got that letter you decided to snap your fingers and get out of the necessity of obtaining the sanction of the Government by purchasing outright for £900 the farm outside the Municipality over which you wish to run your pipe?—We were not going to lose money on the contract.

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7512. Will you give us any further information upon this matter?—It is simply wasting time. This matter is disposed of, and I refuse to give any further evidence upon it. We have got the promise of the Government that we can go on with our work, and I refuse to give any further evidence on drainage. That is the end of it.

7513. I suppose we cannot compel you, Mr. Vollmer?—No, you cannot. Here am I coming day after day and you are wasting my time. I cannot waste any more time.

7514. *Chairman.*] I see that the letters you put in this morning are not the whole that bear upon the case. The last letter you put in is dated 1st April, 1901—that is 14 months ago?—Quite so; we got permission on that day and we don't want the matter opened up any further.

7515. You got further letters since that date?—Quite so.

7516. But you did not put them in?—No.

7517. But according to what Dr. Gregory says, important developments have occurred since then?—I will not give you any further evidence about it. I have said all I have to say about this drainage matter. Let us get to something else. The official members are only trying to put me into a corner.

7518. Dr. Gregory does not want to put you into a corner?—He does I object. The two Government officials are only put here to harass one. I think the whole Commission can feel that. Witnesses do not come here to be badgered. We come here for the benefit of everyone and this is the way we are treated.

7519. Tell me your grievances?—We are badgered. It is right down obstruction. This drainage business, in the way it has been handled, is nothing but obstruction.

7520. Please explain what you mean?—I have explained. I cannot waste any more time about it. I must finish to-day. I have no more time to give to the Commission.

7521. *Dr. Gregory.*] Of the details of your drainage scheme the Commission knows nothing except that it is to discharge into the Princess Vlei, which is a small and more or less landlocked piece of water. Around that Vlei the ground is being sold in building lots and there is no question that in the future, I think we may say the near future, this ground will be built on. Now, it becomes an important point not only to the health of the future inhabitants of this spot but also for the Municipality of Wynberg in regard to future economy in drainage matters, that the suitability of that place for the discharge of drainage, or the effluent from drainage, and in the latter case the suitability of the system to be adopted for producing an effluent of sufficient purity, should be thoroughly thrashed out. Professor Simpson was asked to give his opinion upon it and, as I have shewn, up to the last moment, the Town Council of Wynberg supplied no adequate data upon which to come to an opinion. Eventually, Professor Simpson gave a conditional approval to the manner of the disposing of your sewage effluent, and the condition contained in his report clearly shews that he had in view the prospect of Princess Vlei becoming polluted so as to be a danger to health. That this possibility was in his mind is shewn by the fact that he lays down the condition that the effluent from these tanks shall not be discharged direct into the Vlei, but shall be subject to some form of treatment, by broad irrigation, on the sand before it reaches the Vlei. Whether it runs in the first instance on to the sand of the piece of ground belonging to the Council, only seventy acres in extent and bordering on the Vlei or whether it discharges at once into the Vlei, eventually your sewage or sewage effluent is going into the Princess Vlei?—It is not.

7522. And it is, eminently, a matter that should be most carefully thrashed out before coming to a final decision. There is no wish whatever to hinder the Council in carrying out this urgently needed sanitary scheme, but it is necessary that the public health should be protected and that the best possible means of dealing with the sewage of Wynberg should be found?—Yes.

7523. *Chairman.*] So I understand, Mr. Vollmer, that you do not want to tell us ything more about the drainage?—I have said everything. It is very evident that the drainage will not go into the Vlei. How do people do it in England?

7524. And we cannot see the plans upon which you are to work out this scheme? Did you ask the engineer if he would allow us to see the plans?—I have no objection to your seeing the plans if the engineer shows them to you, but we, as a Council, will not be put to any further delay in the matter. We consider that the matter is now closed, and if we, as a Council, put in those plans before this Commission, we re-open the matter again.

7525. The Commission is one of inquiry. We are not to decide upon whether your plans must be carried through or not?—That is just the point. What we object to is being hampered and kept back in this work. We must proceed to work at once, and if we give you our plans we must wait until we get your decision upon them.

7526. Do you suppose that we are asking for these plans for the purpose of obstructing you in your drainage matters?—You can have them from Mr. Stewart, but we, as a Council, will not give them to you.

7527. Then I ask you to bring the matter before your Council and get them to put it to the Engineer to see if he has any objection to our examining the plans?—I will put it to the Council.

7528. The plans are yours, and, with the sanction of the man who designed them, I do not see what objection there can be to our seeing them. We have no intention whatever to obstruct you or worry you in any way whatever. We are here to make an inquiry on lines set out by the Colonial Secretary, and we find ourselves met with this difficulty at the very outset of our inquiry? We have no desire to hinder, but rather to help your Council?—If it is distinctly understood that the plans are put in for your information we have no objection to your seeing them, but we point blank refuse to be delayed any longer. We will not hold ourselves bound to stop our works until you have reported upon the scheme. We do not agree to put the matter back any further. If that is plainly understood there is no objection to your seeing the plans, but we are not to be hindered any further.

7529. Let us now refer to the question of streets and roads: is there much to say about the streets at Wynberg? I suppose you have spent a good deal of money in maintaining and improving your streets?—We have.

7530. In the matter of the roads in the Wynberg district, are your relations with the Divisional Council friendly?—Yes, very friendly.

7531. I see, by a return put in by the Divisional Council, that, in 1901, the Divisional Council obtained as revenue from Wynberg £3,452, and spent on roads in the Wynberg district, in the same year, the sum of £1,028?—Is that all?

7532. And they say that they maintain 8⅞ths miles in your district. In addition to that they put in an additional £106 per mile for macadam used in the construction of your roads?—They spent that besides the £1,028? I understood they spent altogether £2,400.

7533. The average per mile including macadam is £222?—That is £1,800. I thought it was more.

7534. You are aware that something of the same kind occurs in the other Municipalities, and a grievance seems to be felt that the Divisional Council get a good deal of revenue, and do not spend anything like that amount upon the roads within the Municipality?—That is the case.

7535. With a view to putting these matters on a somewhat better basis a Conference took place at which Divisional Council and Municipal Delegates adopted certain resolutions; do you know of that?—The main idea was that the Councils were prepared to take over the roads in their areas.

7536. Were you at the Conference?—I was at one Conference.

7537. On reading through the report, I see Wynberg was represented by Mr. Voskule?—That is our present Mayor.

7538. Certain resolutions were adopted which were to be sent to the various Municipal Councils concerned?—Our Council has not dealt with the matter at all.

7539. So that you would not be prepared to say what the views of your Council would be?—No, only in a general way.

7540. Can you give us your own view on the question of the future of Divisional Councils?—I would rather give it at a later period.

7541. *Mr. Gurney.*] In addition to keeping streets in order you will admit that a very important duty of Municipal Councils is to see that the streets are of a proper width?—Quite so.

7542. Has the Council been following that up?—Wherever we could do so.

7543. You had a survey of the Aliwal Road lately?—Unfortunately the Aliwal Road is vested in the Divisional Council.

7544. It has lately been surveyed?—Yes, we wanted to lay a kerb and gutter.

7545. Is there not a tendency of the inhabitants to annex more and more of the road?—Yes, there was in olden times. We have had to fight many battles over what has taken place 20 years ago. We have had to go to law and adopt all sorts of means to get our own property back.

7546. A similar survey was made in connection with the Ottery Road?—Yes, there a good many people have encroached upon the street.

7547. It is supposed to be a road 100 feet in width, is it not?—I could not say, it is a very wide street.

7548. Perhaps 200 feet?—No, not quite, between 60 feet and 100 feet.

7549. The survey showed, did it not, that the inhabitants had annexed a considerable slice on both sides?—We hold a right over it. As the road is of such a width

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we have laid down a building line and given the people the option to buy what they have encroached, and we have made the road a uniform width of 60 feet, I believe.

7550. Has anybody bought this encroached land?—No one has bought yet.

7551. And you have not caused them to put their fences back?—No.

7552. The Town Council sold some land in Ottery Road, did they not?—One piece.

7553. By public auction?—No, it was a sale at a stipulated price of £100, I believe. It was considered a fair value for the land. It was adjoining the land owned by the person who purchased it. We had had a lot of trouble with it.

7554. There was no formal valuation of the land?—No.

7555. Do you not think that you should have sold it by public auction?—We would not have got the money we did for it. It was a piece of waste land, and the stormwater frequently overflowed it. The adjoining owner wanted this piece of land in order to be able to protect himself from these overflows.

7556. Do you not think that the Council should follow up these cases of encroachment—I do not mean in Ottery-road alone—and force the people to put their fences back?—We like to deal with people leniently. They gradually come to us. It is merely a matter of waiting, but if one becomes impatient with the ratepayers they resent it, and nothing is gained by it.

7557. *Chairman.*] In the matter of lighting; you are at present in negotiations, are you not?—We are not exactly negotiating.

7558. You have the electric light at Wynberg?—Yes.

7559. By whom is it supplied?—By the Peninsula Lighting Company.

7560. That Company supplies other Municipalities in the suburbs, does it not?—Yes.

7561. Have you an agreement with them?—Yes, we have an agreement dated the 12th September, 1892, undef which agreement they have, for 10 years, the right to supply Wynberg with electric light. They have a monopoly at a fixed price.

7562. And at the end of the 10 years?—At the expiration of the agreement we have the right to take over their works and plant. And if we do not do it then, we may do it five years afterwards or five years later again, but at the end of 20 years the monopoly ceases altogether, whether notice is given or not.

7563. Then the works will be taken over by arbitration, I presume?—We have come to an understanding with them and they are removing their works to Claremont, so that, if Wynberg took over the electric lighting of their area at any time, they would only have to take over poles and such like matters. They would not have to take over machinery or buildings.

7564. What are the charges of the Lighting Company?—For the private consumption of ratepayers the charge is 1s. 9d. per unit and to the Municipality 9d. for each lamp of 20 candle power per night. A few years ago we made a reduction of 10 per cent. on that 9d.

7565. How many public lamps have you at Wynberg?—About 150.

7566. How many hours per day do they burn as a rule?—According to the contract they must burn an average of six hours per day.

7567. Is there any great difference between the charge to the Municipal Council and the charge to private consumers?—There is no great difference. The quantity of electricity used in the street lamps does not represent a unit. They never use a unit in 6 hours—nothing like it.

7568. What does a unit represent?—It is reckoned that a unit of electricity will keep a 16 candle lamp burning for 16 hours.

7569. Then the price to private consumers is practically the same as the price to the Municipality?—Yes, but as soon as the new works of the Company are finished the price to the private consumer will be reduced to 1s. 6d. per unit.

7570. Has the use of electric light spread very much in Wynberg?—Yes; the Company cannot supply sufficient for the town.

7571. Is there gas at Wynberg?—Not at present, but the Gas Company have taken steps to put in a gasometer at Wynberg.

7572. You say that electric lighting is forcing its way in private houses?—Yes, but particularly in shops.

7573. *Mr. Gurney.*] It is used in the churches too, is it not?—Yes, I think so.

7574. *Chairman.*] Is it used in houses at a distance from the town?—Yes, at a fair distance.

7575. How far do they carry their lines?—Wherever street-lighting goes on they are quite prepared to take on private lighting.

7576. There is no area marked off within which they must supply lighting?—They have to go a certain distance according to the agreement. We have the power to

compel them to extend to a certain distance, but it must not be further than a certain distance from the last pole. At present, they have not power enough to supply more electricity.

7577. Are you going to renew the agreement ?—We have practically agreed, for another 5 years.

7578. Is it concluded ?—Yes, until the end of 1907.

7579. You considered that that was better than municipalising the enterprise ?—We have as much hay on our fork now as we can deal with.

7580. Is the Company a flourishing concern ?—At present it does not pay very well, but it will do so in course of time.

7581. Do you get the same terms as at Claremont ?—I do not know what the terms at Claremont are.

7582. The Company are at liberty to make whatever arrangements they like with the various Municipalities ?—Oh, yes.

7583. Is there any combined action on the part of the Municipalities to make an agreement with the Company ?—Claremont has approached us to send 3 delegates to discuss this matter of electric lighting. I believe the Electric Lighting Company are prepared to hand over their works on certain terms. We appointed 3 delegates to discuss the matter.

7584. And the question to be discussed is whether the Municipalities take over the enterprise or not ?—Yes.

7585. Have the delegates been given power to act ?—No, they have just been given power to report.

7586. You are working cautiously ?—Yes, cautiously.

7587. Have you public wash-houses ?—No ; we deferred making public wash-houses until our drainage scheme was finished because of the trouble in dealing with the effluent.

7588. Where do the people wash now ?—Diep River, Princess Vlei, in the back-yards of houses, and in fact everywhere, and therefore it was necessary that we should finish our drainage scheme quickly so that we could put up our wash-houses.

7589. Could not a portion of the farm which you have recently bought as a sewage farm be used ?—As I say, people go to Princess Vlei to wash ; you frequently see them there standing in the water and I objected very much.

7590. That is not an up-to-date thing for Wynberg ?—We cannot help it. We have no power ; Government have the power.

7591. You have as much power as Mowbray surely ?—I do not know.

7592. What is to hinder you from putting up wash-houses on your farm ?—There is the laying of the pipe and the discharge of the effluent.

7593. What do you mean to do ?—We mean to have a wash-house as soon as the drainage is finished.

7594. That will take three or four years ?—Yes.

7595. What is to hinder you from doing now what Mowbray has done ?—We are quite satisfied to do what we think proper. I do not know what Mowbray does. It is possible that within a year we may be able to send down the water to wash-houses. We might be able to do that before our whole scheme is finished if it came to a matter of extreme urgency, but it is a dangerous proceeding to send down a lot of soapy water without preparing for it.

7596. You said that people wash clothes at their houses, so that you are apparently prepared to let the soapy water run into the streets ?—No, the people do not put their washing water into the streets. We take it away.

7597. How ?—In the slops ; wherever we can prevent washing in the back yards we do so. We do not allow them to run their soapy water into the streets.

7598. And the poor people ; do you take their dirty water away too ?—All dirty water.

7599. How far is your farm from the nearest water pipe ?—1¾ miles.

7600. What then would it cost you to run a two-inch pipe to carry water there for people to wash with ?—That is a practical point which I cannot answer ; besides, the people would not go right away down to our farm.

7601. But you could compel them to go, could you not ?—We are not fond of compelling. It is far easier to bring them over to act in a sensible way.

7602. In the matter of public slaughter-houses, what do you do ?—They are removed out of Wynberg.

7603. You have done better then in that direction than in that of the wash-houses ?—Oh yes ! slaughter-houses are far away.

7604. Where are they ?—At Diep River.

7605. Are they outside the Municipality ?—I think that they were recently brought within the boundary of the Municipality, but we decided that we would not bother them so long as they kept the places clean.

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7606. And do you know that they keep the places clean?—We do.

7607. Have you an inspector who looks after them?—Yes.

7608. Are they on private or public property?—Private property.

7609. Have the slaughter-house proprietors bought the land?—Yes, they have got any amount of land.

7610. Do they carry on business at Wynberg?—Yes.

7611. Do you get reports about the slaughter-houses from time to time?—Yes.

7612. Are there any other public works of a miscellaneous character at Wynberg, such as cricket ground, public baths, or anything of that sort?—No, we are not so far advanced as that yet.

7613. *Mr. Stewart.*] Washing clothes in Princess Vlei must have a bad effect on the water there, surely?—Yes, right round there it is very dirty, and if you tread in the mud at the edge of the Vlei it creates a smell.

7614. Are you aware of any analysis of the water there since the drainage scheme was proposed?—I think there was an analysis, but I do not know any of the facts about it.

7615. *Dr. Anderson.*] Have you an up-to-date Fire Brigade at Wynberg?—Yes, I am glad to say an up-to-date one.

7616. Have you an Infectious Diseases Hospital there?—Not exactly; we have an Observation Ward, and there is the Victoria Cottage Hospital. We have an agreement with Government and Cape Town to send anything very bad to Rentzkie's Farm.

7617. Wha do you do in cases of diphtheria?—They would be dealt with at their homes. It is a disease which, generally, is confined to children, and their parents object very often to their being taken away.

7618. *Chairman.*] And so you are content to let them alone?—I would not allow any child of mine suffering from diphtheria to go out of my house.

7619. *Mr. Lawrence.*] Have you had much in the way of infectious diseases at Wynberg?—We have had a good many sporadic cases of enteric fever and typhoid fever, but they were always of a very mild character.

7620. Is that peculiar to Wynberg?—I should say that it is perhaps endemic.

7621. Have you much diphtheria at Wynberg?—Not much, and such cases as we have had have been very mild. We have had returns of diphtheria, and two days afterwards we have seen the children playing about the streets.

7622. You do not anticipate that, when your effluent gets to Princess Vlei, it will improve the water there?—I hope it will never reach there. Some time ago the Military used to send all their slop-water as it came from the Camp into the sluit with of course a very bad result. We stopped them by bringing the matter to the Supreme Court, but they continued to do it and we took out an interdict. I gave out as my opinion that they could treat that water over a small strip of ground which they had. All their doctors screamed out in horror at my proposal, but it was done and has been a great success. and it has been used for some years without ill effects. I shewed that it was practicable.

7623. *Chairman.*] When was the last case of typhoid fever reported to the Council?—I cannot say; it is endemic with us.

7624. Is that due to the drinking of water from the sluit?—There is no water there to drink in summer time.

7625. I suppose the people who go to Princess Vlei drink the water there?—I am afraid that they do, too often. I know that my boys generally go down there, and when they do I always send water down to them from Wynberg. I will not let them drink the water of the Vlei.

7626. Is Princess Vlei within the Municipality?—A portion belongs to the estate of Zeekoe Vlei; a portion belongs to Government, and only a tiny little strip belongs to the Wynberg Municipality.

7627. Is there any river running into it?—In winter all the water from Wynberg goes into it.

7628. It is like a Dead Sea then?—Oh, dear no; there is always a lot of wind about there which keeps it moving.

7629. But there is no real outlet to it, I understand?—All the Vleis are like that.

7630. Then I suppose, with all this washing and the dirty water running into the Vlei, it becomes very offensive in smell?—These vleis do not become stinking until you stir them up. If you do not tread in the mud, or otherwise stir up the mud, it is, otherwise, clear, pure water.

7631. Can you do nothing to make the vlei less offensive?—I do not know.

7632. Can it not be drained at all?—Why should it be?

7633. To get rid of such a hot-bed of fever?—I do not think it is a hot-bed of fever. I would not call it anything of that sort. But how could it be drained?

7634. What? Is it impossible to drain it?—It is cut off from the sea by very high sand hills. Of course if the Government want it to be drained the Government could do it, but I do not think that the people of the Zoekoe Vlei Estate would allow it. They look upon it as rather an attractive sheet of water, and so long as nothing bad is put into it I do not think there will be anything dangerous about it.

7635. But you are going to drain into it?—I will tell you that Wynberg will not put anything bad into it. If it does I will see that it is stopped. That I can promise you faithfully, doctors or no doctors.

7636. Are people buying property about Princess Vlei?—I have bought some myself. I am shewing my practical faith in the place and my faith that it will not be spoilt by Wynberg's sewage scheme.

7637. Do you like the prospect of people washing their clothes in front of your door?—No, I object to it very much. You can take it from me that our sewage scheme will not pollute Princess Vlei.

7638. *Mr. Stewart.*] With reference to the pollution of the vlei by the effluent, do you happen to know whether the effluent from the bacteriological tanks has not sometimes been drunk?—I may say this: that Mr. Wyllie, a member of the Cape Town Council, had a short conversation with me a little while ago, and he told me that he had made inspections of sewage works of the kind which we propose to adopt at Wynberg, and he said that he had actually put the effluent into his own mouth. I may also say that Dr. Wright, who was our District Surgeon, went to England and wrote most glowing accounts to me about the system of sewage which we propose to adopt, from practical experience of its working there. Everyone who has gone into the matter of the bacteriological treatment of sewage has satisfied himself of its success.

7639. The object of the Council is to put into Princess Vlei an effluent, if ever one goes in at all, of a purer character than that which goes in now?—Decidedly.

7640. *Chairman.*] Is any further alteration of your area, or boundary, likely or desirable; you have spoken to us of three: the Diep River addition, the Orange Kloof Farm, and the piece on the top of the Mountain?—I could hardly call those additions at Orange Kloof and on the Mountain; they cannot be called parts of the Wynberg Municipality.

7641. You have added them to your landed property?—Yes, that is so. But with reference to further additions to the Municipality, I think it would be far better to wait until our neighbours are ready to be taken in, and then we could always approach the matter. It is no use jumping anybody. If they are prepared to come in, or Government consider it necessary that they should be taken in, we can discuss the matter.

7642. You do not think the time has arrived when you should extend your boundaries?—Not on our own account.

7643. On the matter of amalgamation; are you ready to unite with Claremont, Rondebosch and Mowbray?—It seems to me that the main point in this matter of amalgamation has been quite overlooked so far. The Commission has been sitting here and the newspapers are urging the matter of amalgamation, but no trouble seems to have been taken to find the feeling of the ratepayers. You must find it here from themselves. It may be held that the opinion of the Councillors is not the opinion of the general body of ratepayers, and it is therefore desirable to find out the state of the case from the ratepayers themselves.

7644. What are we doing then in sitting here? Are we not taking the feelings of Councillors, with the idea to get the ratepayers afterwards?—Speaking as a Councillor, we in Wynberg do not see the advisability of amalgamation. I do not think the time has arrived yet for any such action. It will arrive, no doubt, in course of time, but at present there are so many problems to be dealt with, which are far better dealt with by smaller bodies who take a more personal interest in the matter, that amalgamation would be out of place. Large bodies, take even our own Cape Divisional Council, do not tend to that interest amongst numbers that is so desirable. What goes on in little Councils is more open to the ratepayer and the ratepayer keeps his representative up to the mark. When a lot of these works have been completed and it is more or less a matter of administration the work would be done much cheaper by a larger body, but whilst these works have to be done it is far better to leave it in the state that it is in at present, because the smaller bodies will take more interest in the work.

7645. I would like a definite statement from you as to the particular way in which you think the incorporation of Wynberg with the other Municipalities will interfere with the interests of Wynberg. Can you give us a specific case?—If a Wynberg matter cropped up on a large body, of which Wynberg was but a small part, we would have no guarantee whatsoever, that the whole of the Council would be friendly disposed to Wynberg, and our representative might be out-voted. In that way a matter of

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great importance to Wynberg would be shelved. We would have to be content because we were governed by the majority.

7646. But where would that majority come from?—The other Municipalities would be represented. Each Municipality would have its own representative, and Cape Town would dominate.

7647. But did you not say before that a large number of the inhabitants of Wynberg had large interests in Cape Town?—No, I said that a large number of the inhabitants of Wynberg were civil servants who had their work in Cape Town.

7648. Did you not say business men also?—I did not say business men; they are only very few. There are very few residents of Wynberg with property interests in Cape Town, so that Cape Town would not look after Wynberg.

7649. Then, as I understand it, your first argument against amalgamation is that it would interfere with the proper development of Wynberg. What is the next argument?—There are a number of arguments.

7650. Are they based on pure opinion?—May-be it is opinion but it is strong opinion. You must take the opinion of the ratepayers themselves. Everyone who has approached me has said: "You must oppose tooth and nail any amalgamation with the other Municipalities." If you took a vote, I am sure that you would not get more than one in every 100 in Wynberg who would vote for amalgamation.

7651. What is this based upon; it must be based upon something?—You cannot force a big Municipality like Wynberg to join in a thing of this sort against its will. If you bring a lot of people together who do not want to work together, you cannot make them work together.

7652. What are your reasons for saying that they will not work? Is it purely an idea?—Because Wynberg stands on a far better basis than the other Municipalities.

7653. Now, you have given us a reason for the isolation of Wynberg; it is that your financial position is better, and in other ways you are so much superior to the other Municipalities that you could not make the sacrifice?—Yes.

7654. Do you not think that that is the best reason why you should combine?—I would like to be converted on the point.

7655. Well, people are not supposed to live for themselves alone?—Oh, you think we ought to give our surplus to others.

7656. You say you have a lot of good things in Wynberg; a splendid water supply; an intelligent body of ratepayers—in fact, the whole position of the Municipality is first class?—Yes.

7657. Then is not that one of the strongest reasons why you should be amalgamated with the others?—And be pulled down to their level?

7658. No; for you to raise them to your level?—That I do not know. It would mean levelling us down to their level. It is a very nice idea to have amalgamation, but one must deal with practical facts. As it is, and speaking as one who has had a lot to do with Municipal work, I do not think that the time has arrived for amalgamation. The various bodies of the Peninsula could not work well together.

7659. But is it not a fact that the longer you delay a matter of this sort the more difficult it will become?—No, you see, already, that Claremont, Rondebosch and Mowbray are practically united.

7660. Wynberg was at one time with them also?—They were forced. They did not desire it, and you cannot force people against their will.

7661. Then I have this reason: that your position is so enviable that you cannot think of sacrificing it. Is there any other reason?—Reasons could always be found. I have not gone into the matter thoroughly, and I do not like to give evidence on matters when I do not know what it is tending to.

7662. Are you afraid of your rates?—Our rates might increase.

7663. That is not at all necessary; Wynberg might be joined and still keep its own rate?—I think the main reason is that amalgamation would not work practically at present. The difficulty might be overcome in course of time. I have not all the facts before me, at present, and all I can say is that I am only telling you what has been told me by the Council, that they as a body must object to amalgamation. As a ratepayer I might go into the merits of the case, but I am representing the Wynberg Council and have to say that they are not prepared to amalgamate

7664. Do you not think it would be better yourself to look at this from a broader point of view?—If you had one large Municipal body—I do not want to make any reflection, but I am just putting the matter from one point of view—what is the reason that the Councillors of Wynberg and other places keep getting into trouble of the kind of which we have heard so much?—Let me tell you that there is far more danger of jobbery in large bodies than in small ones. In a big body a matter like the cement transaction which has been explained to you would never have been noticed at all. If

there had been jobbery in it, it would have gone through without any public reference to it. It was only because it happened in a small body like ours that the ratepayers got to know about it and would not let it alone. In small communities everybody knows everybody else's doings, and each one is keen to see that his public representatives act fairly and honourably.

7665. But is it not a fact that it is just the other way, and that the smallness of the Municipality caused the scandal?—No, it is not the other way. The big Council can do as it likes and one never knows what has gone on, but in small places they watch each other jealously.

7666. But why have they to be watched?—Because you cannot get a body of men together without finding some that want watching. You never have a complete body of ideal men.

7667. We are not speaking about persons, but on a general principle; and do you not think that in a small Municipality you have, as Councillors, a smaller class of man? The ratepayers see this, and when matters take place that do not explain themselves you have them saying that these things have not been done for nothing; they have always an eye for pickings?—But you must bear in mind that pickings are far more likely to occur through large departments, and it you have a big body where no one really knows all that is going on these things are not found out. If we had a bigger Municipality, our engineer might be a corrupt man and he might do things wrongfully which would escape notice, but in a small Municipality nothing escapes. We are very jealous in that way. If there was a far larger Council there would be far more likelihood of jobbery, and the ratepayers would be far more likely to be done out of their own. To my knowlege, no Wynberg Councillor has ever put anything into his pocket.

7668. I have carefully guarded myself not to speak from that point of view and not to throw suspicion upon any public man, but it seems to me that one of the arguments for having a larger Council would be that the representatives would be placed on a larger platform. People would regard them as bigger men and would not be inclined to impute personal motives so readily?—Take Cape Town: that is a big body, but you hear far more talk about the corruptness of Cape Town than about Wynberg. And what is the reason of that: simply because it is a far larger body and that people run them down far more. In a smaller body the people do not run them down so much.

7669. We have heard it said that it was because of the abuse and the insinuations against public men that good men declined to allow themselves to be nominated on public bodies?—It may be so, but it does not affect me. I snap my fingers at abuse. So long as I do my best I never care for anybody. It may be that it prevents better men from joining the Municipal Councils, but I do not believe it is the case. It is most difficult to get men who really have the time to do the work. Most men are too indolent. They are very fond of criticising; but when it comes to doing the actual work they keep away.

7670. But is it not because the thing is so small that the honour is not commensurate with the trouble?—No, I might be on a big Council as well as a small one, but I prefer the small one, because I can be of more use.

7671. But in small Councils, do not members take up things that they ought not to take up and interfere in matters where their interference is harmful?—I do not think so. I believe in Councillors looking at Municipal work personally. You cannot have that in a big Council. In a big Council, the City Engineer reports that such and such a thing is to be done, or is done, and the members, not having the opportunity to personally acquaint themselves with the facts of the case, simply vote for it. They cannot go into the merits of the case, and that is why I think that smaller Councils are better. The members can go into things themselves.

7672. Then you think the Wynberg people are against amalgamation?—Yes, all their cry is, "Don't you have us tacked on to anyone."

7673. And that is why you think they are an intelligent body of ratepayers, I presume?—Yes: they use their brains and are not led away by ideals.

7674. In carrying out a large scheme like a water-scheme or drainage-scheme for the Peninsula, do you not think that there would be a great advantage in amalgamation?—No scheme that Wynberg requires would gain by amalgamation. Our natural position is such that we cannot join with the other Municipalities. We cannot have a drainage scheme common with the others because our town dips the other way. There is no feeling of enmity against the other Municipalities. We are perfectly friendly with them, but our interests are altogether different. It happens that nature placed us so. Our water supply is different. We could not be supplied from Claremont so why should we be tacked on to them? They cannot help us. Should we therefore give our superfluity to them? It is not fair.

7 Vollmer. 7675. Suppose that you had to choose between being amalgamated or being placed by Parliament under a Board of Works to bring you into some general water or
h May. 1902. drainage scheme and rate you accordingly, which would you prefer?—The Board of Works, because the other would not work at present.

7676. Would you have a Board of Works not elective or appointed by yourselves?—It is all a matter of opinion.

7677. I suppose you have not gained that opinion by discussing the matter with others outside?—No, it is a matter of my own opinion; the Council have never had it put to them in that way.

7678. But your Council, surely, were aware that one of the objects of this Commission was to consider the advisability of a Board of Works being formed. You are opposed to amalgamation, and therefore the alternative is a Board of Works?—I feel that our Council would agree with me in that matter, but I would like to sleep over that matter.

7679. You are, of course, aware that they would have to give this Board a power of rating?—For what?

7680. For the works they undertook?—Which works?

7681. Drains, water, lighting and other things?—Lighting and water ought to pay for themselves, but there would be a rate for drainage.

7682. Would you throw into the "pool" the Orange Kloof Farm?—We would still hold it. It would only be managed by the Board.

7683. The water from it might be used for other Municipalities?—We might sell it to them, but we would not give it to them; nobody gives his property away nowadays.

7684. *Mr. Gurney.*] If I understand you rightly, your feeling really is, as to amalgamation, that it would become so big a matter that it would necessarily fall into the hands of permanent officials rather than into the hands of representatives of the ratepayers; is not that the underlying idea?—Yes. And we are not aufficiently advanced for that yet, and these officials might do anything and we would not know what was going on.

7685. *Mr. Stewart.*] Are you acquainted with the provisions of the Water Supply Act of 1887?—No.

7686. You do not know that it contains a clause whereby Claremont and Rondebosch could have claimed a share of the water given to Wynberg by that Act?—I do not know.

7687. You do not know that there were subsequent negotiations between Rondebosch and Wynberg to enable Rondebosch to get a supply?—I do not know anything about it.

7688. And it fell through?—I know nothing about this water matter.

7689. Wynberg was prepared to give up some of its benefits and the other Municipalities did not avail themselves of them?—I do not know.

7690. If that was the case, is it possible that it is an underlying idea at Wynberg that they do not care to give them another chance?—No, we have bought it out and out. It is quite on a different footing now. We paid for the farm with our own money and developed it with our brains and energy. Why should we, therefore, give the fruits of our labour away?

7691. Having borne the brunt of the battle, you do not see why they should come in now?—We want to have the fruit of our work.

7692. *Chairman.*] Is there not some other matter of which you wanted to speak?—Yes; I wish now to speak as a ratepayer, and it is really against the Council that I want to say a word. The powers given to our Suburban Councils go much too far in my opinion. If the Council decide upon any important work, the ratepayers are unable to have sufficient check upon them. If they send in an objection to anything which the Council is doing the matter will be put to the poll, and the objectors must obtain more than one half of all the voters on the Voters' Roll before they can overthrow the Council's work. I consider that is giving the Council far too much power. Luckily, so far, we have had Councils who have not abused their powers, but one must provide for the future, and I consider that we should be placed in the same position as Cape Town is placed in. In Cape Town the majority of the voters actually going to the poll is sufficient to upset anything against which they have objected. As we are placed at Wynberg, our Council have practically absolute power to do what they like, and that should not be the case.

7693. *Mr. Lawrence.*] Is that under the Act of 1882?—Yes.

7694. That is the Act under which you work?—Yes; it is a most unfair Act to the ratepayers. I thought it my duty to bring it forward. Although I am a Councillor of long standing, I maintain that we are given far too much power under the Act, and I do not like any public body to have a power which they might abuse.

7695. Could not the ratepayers fire out the Councillors at the next election?—But the mischief would have been done. Take the Mowbray case.

7696. You mean the increase of rates? But they could not come out at the lower rate?—They mismanaged the whole matter, but still that is not my business here.

7697. Let us know what it was?—It has nothing to do with me. Let them look after themselves, but I will say that there was no necessity for them to make a 4d. rate.

7698. *Mr. Gurney.*] Under the Act, the Council can fix any day, or any hour, they like for taking a poll when an objection is made to their work?—Yes, they can do as they like.

7699. They could even fix the poll for Bank Holiday?—Yes.

7700. *Mr. Lawrence.*] You objected to be taken over in other Municipalities, but supposing Wynberg wanted to annex some of them?—We are not in favour of annexing.

7701. But could you not work it in that way?—We would rather leave it as it is.

7702. *Chairman.*] With reference to the matter of the Divisional Councils and their future, the resolutions of the Conference were before your Council?—Yes, and I have been instructed to say that the Council wishes to leave matters as they are.

7703. There was no resolution?—It was not a resolution, but I was instructed.

7704. Your Council has not discussed it officially and come to an official decision?—There was a resolution that I should be appointed to give the Council's opinion. It was not put on the Minutes what the Council's opinion was.

7705. Then you are to speak what you believe the opinion of the Council to be?—yes; it was done after the Council meeting. They had appointed me, and, when the meeting was over, I asked the Council to give me their views upon the various subjects which I knew would be likely to arise. This Divisional Council matter resolved itself into the matter of looking after the roads outside the Municipal areas. If the Municipalities have to pay for this, besides keeping their own roads in order, Wynberg is opposed to it tooth and nail. As you see, we have to keep up nine miles of Divisional roads in our own area, so that if we had the other roads, as well, to keep in order, the burden would be too great. The expense will rise by leaps and bounds, and we consider that it would mean an injustice if we had to do both.

7706. I think you are overlooking something. You say that you object to spending any more money?—No; we say that if we have to continue to keep up our own roads and maintain the outside roads as well, we cannot afford it, because the charges would go up by leaps and bounds. At present we pay £3,450 to the Divisional Council, of which £2,000 is spent on our roads and the other £1,450 is a contribution towards the outside roads. If you look at it like that you will say that if we take over our own roads and pay that £1,450 towards the other roads it will be all right, but it would not work out like that; we would be having to pay much more money if we took a *pro rata* share of the roads for which Cape Town gets all the benefit. Cape Town would have no roads to keep up in the Municipalities, and we would have to pay a portion for the benefit of Cape Town.

7707. I think you misunderstand the position. As you say, the Divisional Council take £3,450 from your Municipality in rates, and they spend about £2,000 upon your roads, so that they get about £1,450 more than they spend; but the idea, if the arrangement goes through as proposed, and the Divisional Council ceases to rate you, is that you should pay no further proportion of the cost of the outside roads than you now pay?—But how would it be based?

7708. It is proposed to be based *pro rata* on the valuation of all Municipal properties?—That is not fair; that is just my point. We have to continue to pay £2,000.

7709. No?—But then who pays the £2,000?

7710. You take over the maintenance of the divisional roads in your own area?—In that way we pay the £2,000, and we maintain that if your scheme is carried through we would have to pay our, say, £3,000 in addition.

7711. How can that be?—I am a practical man, and know how these things work out. If you make our Municipality take over our own roads and give somebody the power to make a *pro rata* rate for the upkeep of the others, it will fall heaviest upon those who have to take over Divisional Council roads, and lightest upon those who have no roads to take over.

7712. I do not think you understand the proposition. If the arrangement went through, it would first be calculated by the Divisional Council how much it cost to keep up the outside roads. This year the Divisional Council spent on outside roads the sum of £13,000, of which sum £3,000 is derived from the rates upon outside Municipal property, leaving £10,000 to be contributed by the various Municipalities?—Including Cape Town?

7713. Yes. That amount of £10,000 is all that the Municipalities would be liable for. Cape Town would be liable for its *pro rata* share of that £10,000 in proportion to

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the valuation on its properties. At present, I think it would work out to about 60 per cent., so that Cape Town's share of this £10,000 would be 60 per cent.?—Would they continue on that basis?

7714. That is the proposal?—You would arrive at this basis on present figures and keep it up for ever?

7715. That is the valuation for the time being, and if that valuation changes the *pro rata* incidence changes?—Let us take it that £10,000 has to be found and that Cape Town has to pay 60 per cent. If you keep that basis for future payments we would have no objection whatever, but if you want to alter the thing we would quickly come out on the wrong side. We would have to pay more of that £10,000 than we now have.

7716. I have been trying to get other views upon this proposal, and I have put the question to other witnesses. I gathered that that was the proposal at the Conference of Municipal delegates?—It may have been.

7717. You do not forget that from the total cost of maintaining the outside roads the rates derived from the outside properties would first be deducted?—I do not think that our Council would object to this proposal if everything for the future is based on the present proportion. That seems to us quite equitable.

7718. *Mr. de Villiers.*] Then if the valuation of Cape Town rose so much more in proportion to that of the other Municipalities that Cape Town ought to pay 70 per cent. instead of 60 per cent., you would be quite willing to leave it as at present and would not object?—No, we would leave it as at present.

7719. *Chairman.*] Do you think that, even if the Municipalities took over the maintenance of the main roads in their respective areas, the Divisional Council should still be in existence?—I think so, someone must look after the other matters.

7720. If this plan is carried out the Divisional Council would only have to deal, as far as rates are concerned, with the rates outside the Municipalities?—Yes, I understand.

7721. There are sanitary matters to be considered outside the Municipal boundaries, would you be in favour of giving the Divisional Council additional powers for dealing with them?—I think it is most necessary.

7722. Is there anything else that might with advantage be placed under their control?—I think, myself, they might be expected to keep the side paths of their own roads in order. They do not at present do so.

7723. Is there nothing in connection with general agricultural affairs of the Cape Division that might be placed under the control of the Divisional Council?—I cannot say.

7724. Are you aware that they have very little power in matters of that sort?—I believe they have very little powers.

7725. Do you know if they have powers for dealing with the contagious diseases of animals?—I am not well acquainted with Divisional Council matters.

7726. You are not a member of the Divisional Council?—No, I never would sit.

7727. Do you never mean to?—Oh, I might.

THURSDAY, 15TH MAY, 1902.

Present:

Hon. Sir Bisset Berry (*Chairman*).

Dr. A. J. Gregory.	Mr. W. E. Gurney.
Dr. A. J. Anderson.	Mr. T. Stewart.
Mr. Lawrence.	Mr. J. E. R. de Villiers.

Mr. William Craig, A.M.I.C.E., examined.

Mr. *William Craig.* 15th May, 1902.

7728. *Chairman.*] Your name, please?—William Craig.

7729. You are an Associate Member of the Institute of Civil Engineers?—Yes.

7730. You were trained in Aberdeen in Scotland, from 1880?—Yes.

7731. Your present position is that of Assistant Engineer in the Public Works Department?—Yes.

7732. You have had professional experience also in other Colonies?—Yes, I was in Australia about as long as I have been in South Africa—about eight years in each.

7733. Have you had experience as hydraulic, or drainage engineer?—Both. I have had experience in works for water supply, drainage and general engineering—also tramway construction and general city works.

7734. Had you any official appointment in Australia?—Yes, I was Municipal Engineer at Ipswich in Queensland.

7735. And were you not also in Victoria?—Not officially.

7736. And in New South Wales?—Yes, in Sydney.

7737. And you are acquainted with the Public Works systems of Sydney and Melbourne?—Yes.

7738. When were you last in Melbourne?—I was in Australia last year for six months—from February to September, 1901,—and spent a considerable time in Sydney and Melbourne getting what information I could on engineering matters generally.

7739. Were you in Melbourne in 1888?—No, in 1893.

7740. And how far back does your knowledge of Sydney go?—My knowledge of Sydney dates as far back as 1885.

7741. At that time, was there in existence a Board of Works controlling drainage and waterworks in Sydney?—Yes.

7742. Was that Board of Works created in consequence of the trouble with the Sydney drainage works?—I think the present Metropolitan Board of Works in Sydney commenced their operations in 1880.

7743. The point I want to get at is this: at one time all the sewage of Sydney was discharged into the harbour of Port Jackson, causing a serious nuisance; did this lead to the creation of the Board of Works at Sydney, to re-organise the whole system of drainage?—Yes.

7744. It was upon this serious nuisance arising that a Board of Works was formed in Sydney to carry out, amongst other things, the existing drainage works?—Yes, the Board as at present constituted.

7745. Was the nuisance in the harbour so great that a new outfall had to be constructed?—I may say that now practically all the sewage from the main portion of he city is discharged into the Pacific Ocean about five miles south of Sydney Heads.

7746. The Sydney people could not stand the harbour pollution, and took steps to get rid of it?—Yes.

7747. It was about 1887 that Melbourne got into difficulties owing to the insufficiency of its water supply, and also owing to the deficiency of its drainage?—Yes; they had no drainage at all at that time.

7748. And a Commission of Enquiry was appointed at the time?—Yes.

7749. And one of the recommendations of that Commission was that a Board of Works should be started for Melbourne on the same lines as the Board of Works at Sydney?—Yes, but there was a considerable difference in the constitution of the two Boards, although they were working towards the same end.

7750. The objects were the same?—Yes.

7751. At that time in the neighbourhood of Melbourne there were something like twenty-four Local Authorities?—Yes; there were eighteen towns and six shires—twenty-four in all.

7752. And this Board of Works was formed by representatives chosen by the several boroughs and the shires?—Yes.

7753. The Board consists of about forty members?—Yes; more representatives were chosen by the larger towns than by the smaller ones.

7754. As a matter of fact, Melbourne City is represented by six members?—Yes.

7755. And South Melbourne by four members?—Yes.

7756. The other boroughs are represented—some by three members, some by two, and the greater number by one member?—Yes, in proportion to their area and population.

7757. The Board has an elective Chairman who is paid a salary of something like £1,500 a year?—Yes, the Chairman of the Board was previously the Town Clerk in Melbourne.

7758. The Board has very great powers?—Yes.

7759. And the members are all elected in the manner stated?—Yes.

7760. Has the Board rating powers?—Oh, yes, just the same as the Municipalities.

7761. Now, at the time when this Board started in Melbourne, what was the condition of things there principally as compared with the condition of things now existing in the City of Cape Town?—The conditions which obtained in the City of Melbourne at the time were very different from those obtaining in Cape Town at the present time, because there were no sewerage works in Melbourne in 1890, when the Act came into force, beyond a slop water discharge into the Yarra River.

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7762. As a matter of fact, the water that the people used for drinking purposes was polluted?—To a certain extent, perhaps, but not to any great degree.

7763. Is it not a fact that the prevalence of typhoid fever, attributed to the pollution of the water, was a great cause of anxiety?—The real position was this: there was no reservation of any catchment area in those days, but that was changed after the formation of the Board, so that prior to that there may been nuisances arising from settlements on the areas used for catchment.

7764. The Board was formed because of the large number of local authorities interested in one catchment area and one storage system?—Yes.

7765. One thing recognised by all was the necessity for appropriating a large reserve for a common catchment area?—Yes.

7766. And Parliament set aside for the purpose an area of about 200 square miles?—Yes, at that time.

7767. And in doing that they actually obliterated a township?—Yes, a village.

7768. And they had to pay the owners of the land a very large sum of money?—I could not say what the compensation was.

7769. I gather that there was paid to the owners of the land expropriated something like one million sterling?—I don't know what the compensation amounted to.

7770. Was the total amount spent to date on the waterworks alone four million pounds?—Yes.

7771. On a million of this I believe interest is not charged?—I have no information on that point, but it is probably the case.

7772. The amount I have named as spent by the Board of Works is in connection with the water supply alone, exclusive of sewerage?—Yes, £3,700,873.

7773. Approximately four millions?—Yes.

7774. Do you know how much the Board supplies per head of population?—The supply varies very much during summer and winter, but the average supply during the year comes to about 50 gallons per head per day.

7775. And the Board derives its revenue from a water rate?—Yes.

7776. What becomes of that revenue?—It is used for the purpose of the Board in extending their works; they are constantly considering extensions of their works, augmentations of the supply of water, and also of the sewerage works.

7777. But are they raising more capital for new works?—Yes, partly out of loans.

7778. Is it a fact that the surplus revenue, after deducting interest and working expenses, goes into the general revenue of the Colony?—Oh, yes; I don't think fresh works are done out of revenue. When I spoke of the expenditure on the extension of the works I meant the working expenses in connection with such works.

7779. The capital is constantly being increased and any surplus revenue is paid into the Exchequer of the Colony?—I must say I have no knowledge on this particular point.

7780. According to the report of Mr. Thwaites, the water is supplied to the Municipalities at a very low rate and they pay for the metered consumption?—Yes, that is so.

7781. Do you know the percentage on the capital earned by the sale of water?—Not in Melbourne; but with regard to Sydney—which is practically on the same lines as the Melbourne works—they derive about $3\frac{1}{2}$ per cent. net on the capital.

7782. I think it is a little more in Melbourne—about four per cent.?—Yes; but the charge for water is remarkably low both in Sydney and Melbourne.

7783. Have you a memorandum as to how they charge?—I may say that Sydney is one of the model systems in Australia as regards the water supply. And I have a statement here from which it will be seen that Sydney in the matter of charging for water compares most favourably with most other cities in the world. They work on the following basis: they take an amount for the annual rental of each house, and they fix that at, say, £50, which for comparison would be equal to about £80 or £100 in Cape Town. The charges are as follows:—Sydney, £1 5s. 0d. per annum; Adelaide, £2 10s. 0d. per annum; Dublin (Ireland), £1 9s. 4d. per annum; Belfast (Ireland), £2 1s. 8d. per annum; Bradford (England), £3 5s. 0d.; Liverpool, £2 16s. 3d.; Manchester, £2 10s. 0d.; Dundee, £2 14s. 2d.; Edinburgh, £1 11s. 3d.; and London Companies charge £2 10s. 0d. per annum.

7784. *Mr. Gurney.*] And Cape Town?—The charge in Cape Town is £2 10s. 0d., but Cape Town is not assessed in the same way.

7785. But what would it be on that basis?—£2 10s. 0d. minimum.

7786. *Chairman.*] You have not the facts as to Melbourne?—[Statement handed to Chairman.]

7787. Now, the conditions of water supply in the Peninsula agree with the conditions in Melbourne in this particular: that in neither case is there any great permanent running stream from which water can be brought?—That is so.

7788. And from your knowledge of this part of the Colony, is this condition likely to continue here? If we are to have a large supply of water for the Peninsula, must it be obtained by setting aside somewhere or another a sufficiently large collecting area?—Most assuredly. That is exactly where they made the mistake in Melbourne; there they had no idea that the city would grow to the extent it has, and they did not start their works on a large enough scale in the first instance.

7789. Although there are at present about 50 gallons of water per head for the present population of Melbourne, it is already a serious problem for the Board of Works how they are to get an increased supply in view of the increasing population?—They are continually extending their works into other districts and areas, and are contemplating important additions to the supply.

7790. Are you sufficiently acquainted with the circumstances of this Colony to tell the Commission whether there is in the neighbourhood of the Peninsula an area of Crown land sufficiently large and so situated that it could be used as a collecting area?—I have no knowledge of the existence of such a particular piece of land.

7791. I suppose you would agree that for such a collecting area, we shall have to have recourse to expropriating?—Yes; and it should certainly be done as soon as possible.

7792. Do you think it would be possible for the amalgamated Municipalities of the Peninsula to have a sufficiently competent staff of engineers to take in hand a large scheme of water supply?—By an amalgamated Municipality I presume you mean the extension of the system of Municipalities as obtains at present in the Cape Peninsula?

7793. Yes.—I think that would be rather a pity. It would be much better if the administration of the water supply, and of drainage, I should say, were confined to as few members as possible. An amalgamation of the Municipalities would mean increase of members.

7794. Not necessarily: after amalgamation we may have a Council, say, of 30 members, and you have a Board of Works in Melbourne consisting of 40 members?—I am not in favour of the Constitution of the Board of Works in Melbourne. I prefer that of the Board of Works in Sydney.

7795. That is a small Board?—Yes, and they control about the same area. It consists of seven members—four as elected by the ratepayers, and three are Government nominees.

7796. That is only about one-sixth of the size of the Melbourne Board?—Yes.

7797. How is that Board constituted, do you say?—Four members are elected by the ratepayers, and three are Government nominees.

7798. My suggestion here in respect of a combined Municipality was this: that, if the seven Municipalities that are at present existing in the Peninsula between Wynberg and Sea Point were combined into one, with one Town Council consisting of about thirty or forty members, would that Council have as reasonable prospects of success in providing an efficient water scheme as a Board elected by the several distinct Municipalities in the same way that the Board of Works is elected in Melbourne?—It is practically the same thing as in Melbourne. I am in favour, as I have said, of a Board with a very small number of members.

7799. Would you have that as a permanent Board, or only for the time being until the works are in a state fit to be taken over?—Well, in Brisbane in Queensland they have a permanent Board, but I have not considered the question as to whether it would be advisable here.

7800. There are, however, difficulties here based upon the sentiments of the people: take, for instance, Cape Town, where they have for a very long time been accustomed to administer all their own Municipal affairs. Then in the suburbs you find four of the suburban Municipalities have a conjoint Board of eight elected as a Special Water Board?—Yes.

7801. Further on you find another Municipality taking up an independent position, and preferring to have its own independent organisations. Now it would be a serious matter then to have a Board, whether it be an elective Board as at Melbourne or a nominee Board, such as at Sydney, put over these Municipalities?—Well, the question comes back to the bed-rock of the thing—whether it is a necessity that such a Board should be constituted, or whether the Councils are capable of properly carrying out the functions.

7802. The segregated Municipalities?—Yes.

7803. But would such incapacity apply to the amalgamated Municipalities?—Yes, for water, sewerage and lighting; I would leave to the Municipalities all

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other matters. In Melbourne and Sydney the Municipalities retain their full power in all matters except water supply and sewerage.

7804. But is it not the case that when the Board of Works was started no works had been begun for water or sewerage?—There is that difference certainly as far as the Sewerage Works are concerned. Of course, Cape Town is considerably advanced.

7805. And you will have to consult the feelings of the people in these matters especially when they have advanced so far as here, and on the whole so successfully? You cannot have one Board set over another without causing friction? Public opinion may be against that?—Yes; at the same time I must say that it would perhaps be to the disadvantage of one Municipality or another on these particular points; but there is no doubt that it would be a good thing for the whole community; and after all the members of the Board are the representatives of the people, just as the members of the Municipality are at present the representatives of the people.

7806. But if we can amalgamate the Municipalities, do you think it would be possible thereby to carry out a large scheme under their auspices?—It is a big undertaking, but it is certainly quite possible.

7807. You have no intimate knowledge of any of the proposed schemes for increasing the supply of water that have been lately suggested?—No, except what I have read about them.

7808. I suppose you see in some of them a fair promise of an increased water supply for the Peninsula?—If the statements which we get in the local press are correct, they are feasible schemes likely to yield a good supply of water.

7809. You have no personal acquaintance with the details of any one?—No.

7810. But you are strongly of opinion that the required supply of water must be brought from a distance?—I feel confident of that.

7811. You are confident that the supply of water which is required for the future needs of the Peninsula is not to be found within the area of the Peninsula itself?—No; I consider the Cape Town water-supply a wonderful supply for the catchment area. I don't think it has been tested over a prevailing succession of dry seasons, but with the present growth of the Peninsula it is absolutely necessary to go beyond the Table Mountain supply to meet all further requirements.

7812. Do you from your position in the Public Works Department become acquainted with the working of our Divisional Councils in connection with road matters?—Yes, generally.

7813. What is your opinion as to its efficiency as a Road Board in the Cape Division?—The working of Divisional Councils varies very much throughout the Colony, but if they were placed on a different footing, the results would be better. In the Australian Colonies the arrangements are somewhat different. In Queensland there are Divisional Councils exactly on the same principle as they exist in this Colony, but they are aided by the Government to an extent proportionate to the amount of work which they do. The Government simply grants them a *pro rata* contribution on their expenditure for each year. It is fixed by Parliament, say, at 5s. 0d. in the £, 10s. 0d. in the £, 15s. 0d. in the £, or 20s. in the £, as the case may be. According to the total expenditure of the Divisional Council, a *pro rata* contribution is made from the revenue by the Government. In New South Wales again, which I may say is the best Colony as far as roads and bridges are concerned that I have seen, there are no Divisional Councils: everything is in the hands of the Government. They spend about £800,000 a year on roads and bridges, and of course it comes back again in the shape of increased revenue to the Government.

7814. In what way does it come back to the Government?—Rates and taxes on improved value of properties.

7815. Tolls?—Well I would not be quite sure about tolls, but it comes back under general taxation.

7816. How does the Government get that revenue?—It comes back in the ordinary revenue of the Colony through the land.

7817. Have they no special road tax?—Not to my knowledge.

7818. Have you seen reports of conferences on the question of handing over to the Municipalities such portions of main roads as pass through their respective areas?—Yes.

7819. Have you studied that matter at all?—It has been before the Department also, and I am certainly of opinion that where there are Municipalities, there is no occasion whatever for the Divisional Council to control the roads.

7820. You mean, inside the Municipal area?—Yes.

7821. You believe that the Municipalities could safely be left to keep the main roads that pass through their area in good order?—Most assuredly, because it is in their own interest to do so.

7822. Is there in your opinion anything unfair in the method of taxation pursued by the Divisional Council within Municipal areas?—I consider that it is unjust to have double taxation for the roads that pass through the Municipal area.

7823. From your experience in other parts of the world, would you go so far as to say that even if our Municipalities in the Cape Peninsula were to maintain the main roads which pass through their areas, they should contribute towards the up-keep of outside roads?—With regard to the Cape Division, my idea is that, if the Municipalities were to take over the main roads then they might as well take over all the roads existing within their area; and having done that there would be little or no occasion for the Divisional Council at all. The suburban Municipal areas could be extended and the boundaries of certain divisions bordering on the Cape Division to the North and East could also be extended so as to take in part of the Cape Division—such as, for instance, Malmesbury and Stellenbosch,—whose boundaries could be so extended as to take in the parts which would not fall within the extended Municipalities, so that there would be little or nothing left for the Divisional Council to do.

7824. That is to say, outside the Municipalities you would have Field-cornetcies absorbed on the one side into the Malmesbury Division and on the other side into the Stellenbosch Division?—Partly. I would extend the Suburban Municipal areas to take in more of the Cape Flats than they do at present, and then the rest could be merged on the one side into the Malmesbury Division and on the other into the Stellenbosch Division.

7825. And do you think that the people would agree to have their division cut up in that way?—I can see no reason why the Divisional Council should continue to exist in the Cape Division.

7826. Would you go so far as to say that there is no reason why Divisional Councils should exist in general?—No, it is a different matter altogether. The Municipalities dominate such a large area in the Cape Division, that they could take over all the duties within their own area or extended area, and leave the rest to be taken up by the neighbouring divisions being extended in the way I have indicated.

7827. Don't you think there are certain matters that the people of the Cape Division would like to control, sanitary matters for instance?—Do you mean in the area of the Cape Divisional Council?

7828. Yes.—That would all be done by the Municipalities or by a Board, should such be appointed.

7829. Then you might have that Board in conflict with the people of the towns in their administration of sanitary matters in their extended areas?—No more than they do in the Australian Colonies. The matters are so distinctly divided that there is no clashing. The Boards there deal with water supply and sewerage, and everything else is left to the Municipalities.

7830. Does not the Board deal with sanitary matters?—Only with everything connected with water supply and sewerage, leaving street cleaning and other similar sanitary matters to the Municipalities.

7831. Suppose that in such a part of the Cape Division an epidemic of some infectious disease were to break out, who would deal with it?—There would be no difference, in my opinion. Suppose it broke out in the part of the Cape Division tacked on to Malmesbury; then the Malmesbury authority would have control. For instance, if you bring Malmesbury Division down to the borders of the Maitland Municipal area, then it would not make any difference whether an outbreak occurred there or in the centre of Malmesbury.

7832. It would come to this: that your suggestion would be to include, or rather to divide, the present area outside the Municipalities in the Cape Division between the two adjoining divisions, Stellenbosch and Malmesbury?—Yes. (See Question 7824.)

7833. And they could administer affairs generally?—Yes.

7834. From your knowledge of this Colony, and of other Colonies, but with special reference to the Cape Division, can you indicate any other matters which could with advantage be put under the control or management of the Divisional Council?—No; I don't think it would be a wise thing to extend the scope of the Divisional Councils. My contention is that you should take away water supply and sewerage from the Municipalities, and there would be ample scope left for them in the management of other matters, and besides, such a course would not in the least interfere with their responsibilities. There is good reason for the existence of the Municipalities outside the questions of water supply and sewerage matters, which should be in the hands of a joint Board.

7835. In this Colony, leaders of public opinion in the rural districts are in favour of their Divisional Council, as it is the only Board they have to look after rural matters?—Yes.

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7836. And people in the rural districts look to their Divisional Councils to give them a lead, or to bring rural matters to the notice of the Government, or to look after the public interests of the district. In the Cape Division, however, people are spreading themselves out on Municipal areas, and the area tends more or less to be brought under one Board, and in your view that Board should be, so to say, municipalised?—Yes, in that area.

7837. Your suggestion is based upon the fact that the Municipalities are spreading themselves out, and gradually absorbing and modifying the interests of the Cape Division?—Where the functions of the Divisional Council cease.

7838. Have you made any study of the effect of the discharge of sewage into the sea or into land-locked bays or harbours?—I have dealt with this question in the North of Scotland and at different places where it has been found advantageous to discharge on to the land instead of into the sea. It has not altogether been a success even in the open sea, and it would be much less so in a land-locked bay.

7839. What has been the result of such outfall?—A throw-back of the sewage on to the beach, and an accumulation of slime and other injurious matter.

7840. Do you think that would be likely to obtain in Table Bay?—I am positive of it.

7841. Is that owing to the absence of strong currents?—You have not only currents to consider but also winds—the currents may be unfavourable and the winds also. If it answered in Table Bay, it would be a very exceptional case, but as far as I have been able to judge, I can see no conditions that are favourable to such a course here.

7842. Are you acquainted with the methods of bacteriological treatment of sewage?—Since I have been in South Africa the question has assumed great importance, and so far as I have been able to gather information from engineering papers and elsewhere, it appears that there is a great difference of opinion upon that subject, both from a medical and from an engineering point of view. I have no doubt, however, that in course of time the system of bacteriological treatment of sewage will be perfected.

7843. If it is good for all that it is said to be good for, then while crude sewage cannot be discharged into a bay, the effluent might be discharged without causing any serious nuisance?—I may quote the case of Adelaide, which has a population of 150,000, and which is one of the best sewered cities in the Southern Hemisphere. All the sewage there is pumped on to a farm on which they grow crops of lucerne and other forage plants, the land being laid out for agricultural purposes. As a matter of fact, a great deal of dairying is carried on on this farm. There has been no objection at all, the farm has been yielding a very handsome return, and has been an unqualified success throughout. The effluent from the irrigation farm is taken into the river and runs into the bay, but there has been no objection to that whatsoever.

7844. The same remarks would apply to Melbourne?—Yes, but the farm is a very much longer way from the city, whereas the one in Adelaide is close to the city.

7845. But sewage irrigation works are carried on in Melbourne?—Yes, the whole of the sewage is pumped out on to an irrigation farm.

7846. Would it be a hazardous thing to have a system of drainage for our suburban Municipalities unless it was designed upon some common plan by a staff of competent engineers and surveyors?—Yes, certainly.

7847. The Municipalities should all be working together?—I cannot see that it would be either economical or advisable for each Municipality to have a separate drainage system. It seems to me a great pity that Cape Town, Sea Point, Green Point and Woodstock were not amalgamated from the first as far as their drainage is concerned.

7848. By separate action there is likely to be a distinct loss of capital?—To start with, it is not good economy, and I think a very much better outfall for the lot could have been procured, and it would perhaps have done away with much of the trouble which has arisen since.

7849. You have no personal knowledge, I suppose, of the state of matters at the outfall on the other side of the Breakwater?—Well, my own idea from what I have seen down there is that it will not be a success in the winter time. I think it ought to have been carried a great deal further out to sea. And had you a Board to deal with this matter for the combined area, they would have had a much larger amount of sewage to deal with, and would naturally have carried the outfall much further out to sea.

7850. Have you any knowledge of the size of that outfall?—No, but I presume that it is sufficient for the Cape Town sewage only, having been designed for that purpose.

7851. So that it may be a hazardous proposal to carry through the same outfall the sewage of another hundred thousand people from the suburbs?—I don't know; it may be that they could make some provision for it.

7852. Just referring to the matter of amalgamation of Municipalities, you have evidently given these matters a good deal of thought; you come from the city of Aberdeen?—Yes.

7853. Was it in your time that the amalgamation was carried out of the three Municipalities of new Aberdeen, old Aberdeen, and Woodside?—Yes.

7854. Do you know on what basis the amalgamation was carried out?—Do you mean as to the constitution of the new Municipality?

7855. Yes, and what they did about their several indebtednesses?—No, I could not say as regards that. They were at conflict with one another, and it was found desirable that the whole of the area dominated by the suburban authorities should be amalgamated, and the question of sewerage was one of the principal factors which led to the amalgamation.

7856. Formerly those three Municipalities were separated by unbuilt-on land?—No, it was not so, because houses were built up just like the suburbs of Cape Town, where you can hardly tell where the one Municipality begins and the other ends.

7857. But forty years ago it was not so?—I am speaking of the last twenty years.

7858. The several Municipal areas gradually coalesced and it was found absolutely necessary that they should be combined under one authority?—Yes.

7859. And the result has been an advantage to all?—Yes, they are very much better now.

7860. As far as you know, did the people in the smaller Municipalities find that their rates increased after amalgamation?—I could not say that, but I know that they have now got considerable improvements, and things are done for them that they could not get done before.

7861. Many matters are attended to now in the smaller Municipalities that could not be attended to before?—Yes.

7862. In the way of lighting, water supply, drainage, more efficient police, tramway construction, and other matters connected with Municipal administration?—Yes.

7863. *Dr. Gregory.*] Have you any personal knowledge of water schemes in this Colony?—In the smaller towns, yes.

7864. What towns?—Cathcart, Dordrecht, Queenstown, Somerset West, and some other smaller towns in the Colony.

7865. You have no knowledge of water schemes nearer to the Cape Peninsula than Somerset West?—No, the nearer ones have not come before me.

7866. You have no intimate knowledge or acquaintance with regard to the sewage disposal and drainage schemes in the Cape Peninsula?—Not officially, only what I have read about them.

7867. In Sydney you say a Board was constituted only to deal with drainage and water supply?—Yes.

7868. What arrangements then did they have in regard to lighting and tramways?—That is all under the Government. In New South Wales the Government practically dominates everything. Although many matters go in the name of the Municipality, the Government practically dominates the Municipality because all large schemes are undertaken by the Government.

7869. And the Government has under its control the tramways and the lighting?—Yes.

7870. And the other lights such as gas, under whose control is that?—Mostly the Municipality.

7871. Not under the control of a Company?—There are Gas Companies, but I mean that street lighting would be done at the expense of the Municipality.

7872. Then with regard to public health matters—are they under the control of a special Board?—Yes, a Public Health Board.

7873. That is really a Government Board?—Yes.

7874. So that there can be very little work left for the individual Municipalities to do?—As a matter of fact, they only do the street-making, street-watering and cleansing besides other general matters connected with the Municipalities, but they do those things well.

7875. And what system of rating have they for paying for all these various works?—Each Municipality, where the Metropolitan Board of Works have control, merely rates for the several items under their control. They specify for the different things such as street-making, street-watering and cleansing, and they leave out drainage and water supply.

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7876. Do they split up their rates for the different things that the money has to be expended on ?—That I cannot say, but they simply rate for the special matters under their control.

7877. You are aware that according to the system in England they separate their rates ?—It is done also in the Australian towns.

7878. So that the ratepayer knows exactly what he is rated for—each separate item ?—I know that it is done in Queensland but I cannot say whether it is general.

7879. Have you any actual experience of nuisance or danger arising from the Cape Town outfall ?—As far as danger is concerned I would not say, but I know that under certain conditions of the wind it is most unpleasant if not dangerous.

7880. Has the sewage matter actually washed up on the beach ?—I have not seen it, but from my experience of other sea outfalls I cannot see, under the conditions which I have already mentioned, how it can be avoided.

7881. The Sea Point Municipality also have an outfall of their own ?—Yes.

7882. That is nearer Cape Town ? No, more towards Sea Point.

7883. Have you any experience of trouble arising from that outfall ?—Well, I have not been so near to it as I have been to the Cape Town outfall, but it is too close to the foreshore.

7884. Are you not aware that at one time it caused the Municipality considerable difficulty owing to the sewage washing up on the beach ?—I only know that complaints have been made by the residents, but I have not seen it myself.

7885. *Mr. Stewart.*] You have given us 50 gallons of water per head per day as the consumption in Melbourne ?—Yes.

7886. Could you tell us how this is made up—how much is allowed for purely domestic purposes and how much for drainage ?—I have no information on that point.

7887. Do you know whether any water is supplied for gardens ?—Yes.

7888. A large proportion ?—Well, of course, there is a special charge made for it, and they have to pay for it according to the quantity they use.

7889. Do you know whether the quantity used for gardens is a large proportion ? —I should not say so, because in the City of Melbourne there are, comparatively speaking, very few gardens, but in the suburbs of course there are more.

7890. You gave the number of Government nominees on the Board of Works at Melbourne ?—No, at Sydney.

7891. Sydney only ?—Yes.

7892. Do you know the relative holdings or interest of the Government compared with the interest of the public ?—The Government advance the money for the works and look upon it as a State asset, and therefore they have their representatives to watch their interests.

7893. That is the reason for their being represented ?—To a great extent.

7894. You have referred to the liability of the water supply of the Peninsula giving out during a prolonged drought ?—Yes.

7895. Do you know the driest season we have had during the last ten years ?—Last year, I think.

7896. Are you taking that from statistics ?—No, simply from my experience of the water supply, but of course one must take into consideration that the consumption is very much greater now than what it was in the past.

7897. Do you know in what year or years the driest season of six months—commencing with October and ending with March—occurred ?—I could not say.

7898. *Dr. Anderson.*] Are you aware that the sewage outfall of Cape Town is not finished yet ?—You mean that there is still more to be done to it ?

7899. Yes.—That I could not say.

7900. The experience gained from sewage outfalls in England will not be quite applicable to outfalls in the Cape Peninsula, would it ?—The action is practically the same.

7901. But you have not the same tidal action ?—Not the same range, perhaps.

7902. In England you will have a tidal action of about 20 or 30 feet ?—No, the range would be only about 12 feet, where I had experience.

7903. And were there large banks of sand exposed when the tide was out ?—No, they were not visible, and although there was considerable scouring at that particular place the sewage was thrown back on to the beach.

7904. But you would not have the same action here ?—Yes, the greater the range of the tide the greater would be the outcarriage of the sea, especially if the discharge of the sewage is confined to the fall of the tide only.

7905. But the discharge goes on both during the ebb and the flow of the tide ?—Not in every case, it is confined to the time when the tide goes out, and depends to a great extent on the currents there.

7906. You have convinced yourself of how the arrangements have been working?—Yes; when the flap valves are down I have been watching the outfall, but merely a small percentage escapes.

7907. *Mr. Lawrence.*] Are all the members of the Sydney Board of Works paid a salary?—No.

7908. Who is paid?—In the case of the Board of Works at Sydney I could not say, but in the case of Melbourne they have a paid Chairman. In the case of Sydney I don't think they are paid at all.

7909. And these Boards deal with questions of sewage and water only?—Yes.

7910. Don't you think it would be an advantage if they dealt with lighting as well?—Very probably; but of course in that case it would take away part of the functions of the Municipality.

7911. I understood you to say that the Board of Works has rating powers over the area for the purposes of drainage, sewerage, and water supply?—Yes.

7912. But does not the Government also rate in the same area?—I do not think so.

7913. Only the Board and the Municipality?—Yes.

7914. Then are there two rating authorities with their separate officer for rating and dealing with the matter?—Yes.

7915. The Board of Works as a matter of fact has its power of rating over the Municipality?—I presume so.

7916. Have you ever been to Durban in Natal?—Yes.

7917. Do you know how they dispose of the sewage there?—No, I have no knowledge of the Durban outfall.

7918. You have never inspected the sewage works there?—No.

7919. I think you said that in New Zealand they had tolls?—In New South Wales, I said.

7920. I was referring to New Zealand as Australasia generally: but have they tolls in the part you mention throughout the country?—I rather think so, but I am not quite certain on that point.

7921. Does the revenue go to the Government?—Yes; the revenue goes to the Government, there are no Divisional Councils.

7922. *Chairman.*] You have studied the area of the Cape Peninsula, I suppose, a great deal from a hydrographical point of view? Have you also studied the meteorological returns?—Yes, the rainfall.

7923. You have studied the rainfall of the Cape Peninsula?—Yes.

7924. Is it upon your knowledge of the rainfall that you base your opinion that it will not yield sufficient for the future requirements of greater Cape Town?—The rainfall in the Cape Peninsula is most favourable, but at the same time there is a limit to the catchment area, and a limit to the impounding capabilities of the mountain, and these two factors make it necessary to go outside the Peninsula for a supply; that is, of course, provided the population goes on increasing as it has been doing.

7925. An increase of population means a diminishing of the catchment area, and an increased necessity for water?—Yes.

7926. The limit of supply in Melbourne is very large, is it not?—The total area is 83,860 acres and the total population is about 478,000 people.

7927. The 83,000 acres are divided amongst 24 Local Authorities?—Yes.

7928. And the population in round numbers is about half a million?—Yes.

7929. Are there officers in the Public Works Department that could undertake the survey of an area for this Commission with a view of giving us an estimate of the cost of a storage reservoir?—For the combined Peninsula?

7930. No, for a particular area. It appears from evidence given before us that there is an area here in the Cape Peninsula from which about one thousand million gallons of water could be collected within twelve months—based on the size of the area and the average rainfall. The area is estimated to give a flow of about three million gallons per day after storage, but all this water is running to waste?—Yes.

7931. No proposal has as yet definitely been made for storing that water, but as far as we have been able to gather from the evidence it seems to be possible to store it, and so to store it that it can be utilised for the use of the inhabitants; but no survey has been made and no estimate of the cost of the works has been made. No information has been obtained as to how far it would be possible to lead that water from any possible storage reservoir for use by the inhabitants. Has the Public Works Department any officers who could undertake the work for the Commission?—Oh, yes.

7932. And besides the survey, frame an estimate of the cost of the works?—Yes.

7933. Knowing in this case the rainfall, and knowing also the extent of the area, I presume we could get at the run-off?—Well, there is very little data to go upon; it

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is only by a series of gaugings over a considerable period that you can arrive at a satisfactory result.

7934. Suppose that the run-off was given you?—Then you would be accepting information that you could not very well rely upon.

7935. Suppose the information is supplied from an experienced expert?—A professional man does not like to take the risk.

7936. Assuming that?—Well, if you assume that, then of course it can be done.

7937. And there are officers in your Department who could make such a survey of such an area and give an estimate of the cost of a storage reservoir so placed that the stored water could be used by the inhabitants?—There would be no difficulty in finding a suitable officer from the Engineering Staff of the Department. I have here plans of the Sydney Harbour and the Melbourne Harbour, and also of the towns. [Plans put in.] I also furnish the following statement of the charges for water and drainage by the Metropolitan Board of Works at Melbourne, as follows:—

WATER CHARGES.

Any house or tenement, for domestic purposes only (other than by measurement) with an annual rental valuation of £20 or under, 10s. per annum; over £20 and not exceeding £300, 6d. in the pound; and 1½ per cent. on amount above £300.

Tenements used as Stores only, with a valuation up to £300, 6d. in the pound; and 1 per cent. on amount above £300.

For shipping at Melbourne wharves, 3s. per 1,000 gallons at special berths at Melbourne wharves, with fixed meters, 1s. 6d. per 1,000 gallons.

Hire of Meters.—Water Meters may be hired from the Board at an annual rental, payable quarterly in advance, as follows:—For ½ inch meter, 5s.; ¾ inch, 1 inch 8s., 1¼ inch 10s. 6d., 1½ inch 14s. Charge for water passing through the meter is 1s. per 1,000 gallons.

Garden Rate.—Areas not exceeding 100 square yards (including paths) will be supplied with water (without meters) on payment of a special rate of ten shillings per annum each.

HOUSE DRAINING AND SEWERING.

Rates payable under Metropolitan General rates as follows:—

On all properties assessed by the Municipalities (whether there be any buildings on such properties or not)—

(*a*) When situated in streets sewered and proclaimed, or when connected with the sewers, one shilling in the pound on the Municipal valuation.

(*b*) When situated in the unproclaimed inner area and not connected with the sewers, two pence in the pound for nine years from passing of Act 1491 in 1897.

(*c*) When situated in the outer area, one penny in the pound for nine years from passing of Act 1491 in 1897.

Mr. Wilhelm Westhofen, M.I.C.E., examined.

Mr. *W. Westhofen.*

7938. *Chairman.*] Your name, please?—Wilhelm Westhofen.

7939. What is your official position?—I am engineer to the Public Works Department.

7940. You have been a long time in the service of the Public Works Department?—Permanently only about ten years, but two years before I was in the service of the Department, when I was engaged in connection with the putting up of the Gouritz River bridge. My real connection with the Public Works Department only commenced about ten years ago.

7941. In what branch are you the official head?—I direct the engineering branch.

7942. That is more connected with bridges?—Yes; also roads and harbours—everything connected with engineering work goes through my hands in the first instance.

7943. Questions connected with works in Municipalities come under your notice sometimes?—Certainly.

7944. You have heard a good deal of the evidence given by Mr. Craig, are there any points on which you difier from him, or may we take it that you concur in what he has said?—I agree in the main with his evidence, but some of the minor details of his

evidence do not tally with my views, such as, for instance, his proposal to merge part of the Cape Division into the Divisions of Stellenbosch and Malmesbury. I do not consider it feasible, because you cannot work one part of a fiscal Division on one system and another on a different one. It would be quite possible for the outlying portions of the Cape Division to be worked by a Central Board as proposed, or from here. The Districts might be divided among the different Municipalities and worked by them.

7945. Even if such a Board was established ?—Yes.

7946. You think it would be better to continue a Divisional Council of some kind ?—No, I don't think there is any need for a Divisional Council; if the main roads are maintained by the Municipalities and the other roads could be worked municipally just as well. In all questions of public improvements ouside road-works, such as sewage and water questions, the Councils have always to come to the Government, at least in nine cases out of ten—first with their plans and afterwards for the loans. Matters of this nature in the same way could not be dealt with by the Divisional Council: they would also come to the Government, and therefore these roads and other matters in the outlying portions of the Cape Division might be controlled from Cape Town just as well as they are now by the Divisional Council.

7947. You don't think it would be advisable to give the Divisional Council power in that direction ?—No; as the Divisional Council is now constituted, I don't think the members are competent to deal with large and important schemes.

7948. Seeing what the people in this country are accustomed to, would they like it ?—They would have the same thing in the other case.

7949. You mean through the Board ?—Yes, the same through the Board as through the Divisional Council.

7950. Then in some way or another rural areas would have to be represented on this Board ?—Well, it can be done.

7951. How would we get at that representation ?—By dividing the rural districts and incorporating them with the Municipalities, we give them representation on the Municipalities, and then I should say each Municipality should contribute its quota of members to the Central Board, and therefore the outlying districts would have indirect representation.

7952. You have heard what Mr. Craig had to say about the control of Main and Divisional Council Roads passing through Municipalities; do you agree with what he said ?—Yes.

7953. You agree it is perfectly safe for the Municipalities to undertake the maintenance and upkeep of those roads that pass through their area ?—There is no difference between those roads and the ordinary streets. In fact, the main roads running through the Municipalities and maintained by the Divisional Council are simply a superior stamp of road. They are ever so much better than the outside roads, for the simple reason that there is more pressure brought to bear upon the Council to make the roads good there.

7954. And you think that the Municipalities would do this just as well as the Divisional Councils ?—Yes.

7955. And as economically ?—Yes; they must have their staff to make their streets, and the same men could attend to the roads. But I must say that I am strongly of opinion that as far as main roads are concerned there should be Government control.

7956. More direct and more efficient than it is now ?—We have no direct power now—it has to be done in such a roundabout way. We have to complain to the Commissioner of Public Works, and if he is inclined to do so he can bring pressure to bear upon the Council.

7957. You have to complain to the Minister ?—Yes; if there were more direct control, then many of the portions of the roads within the Municipalities would not be neglected as they have been. The road between this and Woodstock, some years before the tramway was laid, was in a barbarous condition.

7958. Was that owing to the neglect of the Divisional Council ?—Yes.

7959. Was that brought to the notice of the Government by the Inspectors ?—Yes. Every time a letter had to be written to the Commissioner, who had again to write to the Divisional Council, pressing that body to carry out the necessary repairs, which were done after some time.

7960. Instead of that, what control would you set up ?—A Central Board.

7961. A Board of Works ?—Yes, with Government nominees, who could bring more direct pressure to bear, or rather exercise more direct influence.

7962. Is it your meaning that this Board should have charge of these main roads ?—Yes, ultimate charge; they would control the Municipalities, and consequently control the roads of the Municipalities.

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7963. You don't mean to give Municipalities power over all these roads, as far as construction and maintenance are concerned?—I cannot very well separate the two. It would be to the interest of the Municipality to keep the roads in order, and consequently the Board must have power to act upon the Municipalities in the same way as upon the other matters.

7964. The difficulty with the Municipalities is that they complain about the dual control of these roads at present, and you won't get rid of that trouble if you place the maintenance of these main roads into the hands of your Municipalities, and yet give some kind of control over them to this Board of Works. The spheres of duty and vigilance would have to be laid down very clearly, would they not?—Yes, but we must have someone over the Municipalities. Suppose they neglect the roads, you must have somebody to exercise some influence over them to do them. It is not dual control but only a higher authority directing another one.

7965. You don't think it would be sufficient to leave that in the hands of the ratepayers?—No.

7966. And would you place, so to say, an over-lordship in the hands of the Board?—Yes.

7967. In effect, the Board would be a kind of County Council?—That is only another name for it; there is no doubt that such a Council is urgently wanted.

7968. And would you have that Board an elective Board elected by the ratepayers direct, or would you have it elected by such bodies as Municipalities?—Each Municipality should send a number of their own members—two or three as the case may be—to represent them on the Board, and then the Board would have added to it Government nominees.

7969. We should then have to trust a good deal to the Government nominees?—To a certain extent of course; they must be appointed so as to represent all the interests, some professional men and some men acquainted with accounts and so on.

7970. We have a kind of Board something like that already—the Suburban Water Board?—Yes, in a sense, but for one particular object only.

7971. Do you know how that works?—I am afraid you cannot get to know anything about them. There are eight members sent by the four Municipalities, and they work their own little parish pump and nothing more. We must have outside men appointed by the Government on such a Board.

7972. You see none of the disabilities that they labour under?—No. I am not aware of the scope or extent of their duties.

7973. Then you would not be surprised that some of those Municipalities represented on the Water Board have begun to look for a water supply independently of the Board?—I can understand that.

7974. Then this Water Board is in a way independent of the ratepayers altogether?—In a way it is independent of the ratepayer and it is independent of the Government, which is worse.

7975. For instance, the Board have just published in the *Gazette* a large batch of water regulations for their area, and these have been referred to nobody for approval or sanction?—I have not heard that they have been referred to anyone.

7976. And the ratepayers have not been consulted, nor has the Government been consulted in the matter?—No.

7977. And practically the Board is an irresponsible one?—Yes.

7978. The Board is not responsible even to the Municipalities?—In certain matters.

7979. The Municipalities are under some responsibility because they do come into direct contact with the ratepayers?—Yes, that is so, but the power the ratepayers have over Municipalities is a very poor affair on the whole. The way the Municipalities deal with the ratepayers leaves the ratepayers very little margin for expressing their opinions. The people or most of them go to the public meetings which are called with a foregone conclusion to assist their friends on the platform. Then some talk goes on for about an hour or an hour and a half. After that it becomes time to go home, and a resolution is proposed and passed, and the next morning the ratepayers wake up to find that they have agreed to everything. Therefore I say there should be a higher authority to see to things and thoroughly consider proposals before the Municipality should be allowed to launch out their scheme.

7980. As a matter of fact they have to refer to the Government now before they launch out on a great scheme?—Not unless they require a loan. The Water Board that you speak of are building a reservoir now on the hill at Newlands, and there has been no reference to the Government in regard to that matter. It was brought privately to my knowledge that the works were not carried on as they should be carried on, and not even designed as they should have been designed. And the

safety of hundreds of people and of a large amount of property is endangered should a mishap take place. I brought the matter to the notice of the Commissioner of Public Works, and asked him whether he could interfere in any way in regard to that matter, and the answer I got was that the Government has no *locus standi* to interfere with that scheme. And there is the value of the ratepayers' money and the safety of the public. The work is an expensive one—the contract amount is approximately £74,000, and if the reservoir should burst a large area below it would be swamped and swept away. There would be this huge volume of water, 25,000 tons in weight, let loose upon the locality, and you can imagine yourself what the consequences would be. I represented all that to the Commissioner, and still the fact remains that we have no *locus standi*.

7981. They refused a Government inquiry?—I am not aware of that—I only know that they did not consult Government in any way about the scheme.

7982. *Dr. Gregory.*] This reservoir that you speak of: is that being built for the Water Board?—Yes.

7983. *Mr. Gurney.*] Has not that money been spent out of the half a million authorised by Act of Parliament?—I don't know where the money comes from; but I hold that in this Colony there should be an authority consisting of independent men, some of whom should be of high professional standing, who should be consulted in such a scheme; for that reason I should propose that such a Board as has been proposed should be formed.

7984. *Chairman.*] That Board would be the authority?—I would not allow the Municipality to enter into a scheme of that sort until the scheme has been properly discussed by an independent authority.

7985. You have the law at the present time—under the Municipal Act no individual Municipality could do so,—but here you have an abnormal concern, it is the only instance we have in the Colony of a Board, elected from four combined Municipalities?—Then I must be under a misapprehension. As I understand it the Municipal Acts empower any Municipality to carry out any scheme it pleases to propose provided the consent of the ratepayers has first been obtained without any reference to Government. The sewage scheme of Wynberg was only brought under the cognizance of the Government because they wanted to borrow £60,000. Supposing that the Councillors had simply subscribed the money they would not then have needed to come to the Government. They only submit their scheme when public money is required to carry it out.

7986. Your point is that Government supervision and opinion is only obtained when the local authority concerned wants to borrow money from the Government?—Yes, when public money is to be used.

7987. But you say that a large scheme should be approved by the Government whether a loan is applied for or not?—Yes, undoubtedly.

7988. And in the absence of that control not only public money is risked, but also public safety?—Yes.

7989. That is through the Municipalities, I presume, not having a sufficient staff of engineers and experts?—Yes, a few years ago they had no engineers at all, and I suppose the road overseers would advise them in regard to such matters. The ordinary Municipal Councillors are only fit for looking after the roads and streets in their own area, which work they do very well, and to attend to small buildings and such like. There must be some one to see that a man who wishes to build puts in his plans, and for this purpose the Municipalities as constituted are quite competent. They must attend to the Municipal removals and the cleansing of the place and such minor work, but large water, sewage and lighting schemes, and so on, should not be left to the Municipalities.

7990. And the object of such a Board is to get Government supervision through the officials?—Yes; you see even now the Municipalities obtain engineers to advise them, but frequently they won't take their advice and make it so unpleasant for them that they won't open their mouths at the Council table.

7991. As one who has studied these matters a good deal, what is your opinion as to the advantage or otherwise of amalgamating the various Municipalities in this Peninsula?—You mean by amalgamating them that you would do away with the Municipalities of Wynberg, Kalk Bay, and Simonstown?

7992. Put them all into one Municipality?—I don't think that it could be worked.

7993. Why?—They must have work done from a local centre, because, suppose a man wants to alter his house at Kalk Bay he will have to come to Cape Town to ask for permission to do it.

7994. Well, then, exclude Kalk Bay?—The same thing would apply, because a man would have to come from Wynberg, say, to Cape Town to the Amalgamated Municipality for permission to do certain things, and the men on that Board would know nothing about the local circumstances.

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7995. But suppose you have representatives on your Council from the locality?—Even then I think it would be a very difficult thing to do, because these local representatives would have to go out and make inquiries.

7996. Would they not have their officials to do that? Suppose they were to combine from Wynberg to Sea Point?—I don't think it would work; it would be a very large Municipality.

7997. It would not be so large as Melbourne or Sydney?—It is far more scattered about.

7998. Yet the area here would be smaller?—Yes, but it is not lengthened out like the suburbs of the Peninsula. The distance is enormous and everything would take so much time to inquire into. I think it would be better to leave the Municipalities as they are and prescribe their functions within narrower limits.

7999. And give the Board power over them to carry out larger works—that is your idea?—Yes, and generally prescribe the policy to be pursued by the Municipalities. The Board would sanction to some extent what the different Municipalities had to do, and so leave a number of people in each centre to work out their own little schemes.

8000. Purely local concerns?—Yes, and I think the Board might prescribe to a certain extent the way in which certain roads should be done, and they might assist them with a plan of street cleaning or something of that kind. Each Municipality could of course have their own ideas to carry out, the general policy being laid down by the Board, and as each Municipality would be represented on that Board they would have a voice to bring matters forward.

8001. Your proposal would really then subject the Municipalities to the same control which parishes are subjected to under the County Council in England?—Yes; knowing what I do of the place I should consider that that would be the best.

8002. And you incline to that opinion from your general knowledge of the inefficiency of Municipalities as administrators?—Yes, for larger matters; they are quite capable of dealing with small matters.

8003. But if you were to take away the administration of these larger matters from the Municipalities, don't you think that there would be danger then of getting even weaker men to go on to them than you have now? Would any man of large intelligence care to be troubled with the discharge only of these minor duties? Who are your Municipal Councillors?—They are mostly small shopkeepers, contractors, and men living about in these localities.

8004. That is so; but don't you think that if we were to enlarge their area of operation we would attract better men to come on the job?—The better men can and will go on the Board of Works.

8005. You would have a sort of Upper House and Lower House?—Yes. If your Municipal Councillors from Wynberg had to come into Cape Town for a meeting you will find that they have not the time for it. They would find time to attend a meeting close to their homes for an hour after five o'clock or so, but a man from Simonstown or Wynberg would find it a difficult matter to come into Cape Town during working hours.

8006. But if you had each area electing only a certain smaller number of members. Take Wynberg: at present you have nine Councillors. Could you get one out of every three of those men who would find time to come to Cape Town?—Yes; at first it might be difficult, but I think election on the Central Board would be a distinction, and I believe a higher class of men would go on the Municipal Council.

8007. Then you would have these members of the Board elected by the local Councils?—Yes, from among their number.

8008. You have heard what Mr. Craig said about the feasibility of your Department finding an officer to undertake certain works for the Commission. Do you agree with what he said?—Yes, I have three or four men constantly out on this kind of work.

8009. Do you think that, given an area in the Peninsula, the average rainfall thereon as ascertained from the meteorological returns, and assuming the run-off to be an estimate, you could give the Commission or get an officer of your Department to give the Commission some information as to the storage that would be available?—Yes, after making certain investigations, of course. And then we can only accept the figures as coming from the Commission. We cannot take any responsibility as regards their correctness.

8010. Information to give the Commission an idea as to whether it would be possible to store a good proportion of the run-off water, and with an estimate of the cost of the work for storing the water?—Oh, yes; I don't think there is any difficulty about that as far as I can see.

8011. It might take two or three months?—Yes; it depends entirely upon the area which is to be gone over, and it would require not one but a small party of men to do the work.

8012. We should also have to know to what extent the water so stored, if suitable, could be utilised by the existing population?—Yes, of course that will be a question of levels.

8013. And the question to some extent of the purity of the water?—Yes; we should have to consult another authority on that.

8014. *Dr. Gregory.*] You mentioned the probable instability of the reservoir which has been constructed or is being constructed by the Cape Districts Waterworks Board?—I would not put it so strongly; I did not use that term. I only say that it was privately brought to my knowledge that the wall of the reservoir is not what it ought to be. I have never seen the plans, and I should have called for them if the Government had held that we could look into the matter, but as I got the reply that the Government had no *locus standi* I did not follow the matter up any further.

8015. Your information was of such a nature that it ought not to have been neglected?—Certainly not. I considered it my duty to lay the matter before the Government.

8016. Had you any experience as to the nature of the other waterworks in the Peninsula?—You mean the construction of the reservoirs?

8017. Yes—Only as an outsider. I have seen their construction, and I have seen one finished.

8018. And the Wynberg reservoir, in which, according to our evidence, cracks have occurred?—That is the latest service reservoir.

8019. Yes. I will read to you the evidence given on that point, as follows:—

"But then something happened; can you tell us what?—Nothing happened; nature acted as nature will do; the cement had contracted, and the ratepayers insisted on our doing something that was unnecessary. . . . . .

"What was the difficulty?—There were cracks in the cement, but no water came through, and the ratepayers insisted on our putting in expanding joints.

"That was in 1898?—Yes, and the same thing happened in 1899.

"And then they incurred an expenditure of about £300 or £400?—I am practically the father of this reservoir, and if there is any blame I wish to take it upon myself. It was built on my wish, with a view of getting sufficient water for the ratepayers. There was a bitterly cold night, and the cement simply pulled away and showed a crack on the outside, and in the next winter when we emptied the reservoir we had it attended to. It held all right during the summer, but during the winter the same thing happened again.

"And then the sum of money was spent?—Yes, it was the wish of the ratepayers that we should make it a complete job, and we had to put in the expanding joints.

"How much did it cost?—I don't know. It was the wish of the ratepayers.

"£5,000?—It was the wish of the ratepayers."

Have you any knowledge of this reservoir?—Yes, I have seen it.

8020. Have you any knowledge of the alleged cracks?—I have seen them.

8021. What in your opinion do they arise from?—That I am not in a position to say, because I could not examine the foundations. It may be due to faulty foundation or to undue expansion or contraction. As a matter of fact, I understand that the reservoir does not hold water to an extent of more than six feet. I only know that we are short from time to time, and the reason is always given "there is no means of filling the reservoir." I may say that I live at Wynberg myself.

8022. What is the depth to which the reservoir is capable or designed to be filled?—I think about 18 feet, but I have no personal knowledge, and I can only say what is given as a reason for the shortness of water.

8023. But you say that you have inspected these cracks?—Yes, I have seen some of them.

8024. Are they leaks or cracks?—When I was there, there was no water in the reservoir, so I could not say whether they are leaks.

8025. Are they cracks such as one would usually expect in reservoirs?—Yes, there is nothing unusual in the matter—such cracks do appear in concrete reservoirs, but I would not say that they are unavoidable.

8026. You have no experience of any of the other waterworks in the Peninsula?—Except Simonstown, which showed similar cracks.

8027. Was your experience there official or not?—Well, the reservoir was built partly with Government money, and we inspected the works and reported upon them.

8028. *Chairman.*] Is that the same kind of construction?—Yes, the walls are of cement concrete.

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8029. *Dr. Gregory.*] You say that was cracked?—Yes.

8030. Was that in your official report or not?—I am afraid I should have to look it up—it was about four or five years ago, and I could not remember off-hand.

8031. Were they anything serious?—They might have been. All I remember is that we recommended that the lower part should be considerably strengthened—the lower part was a bank that was run up. (*See end of this day's Minutes of Evidence*).

8032. What were the cracks in the reservoir at Wynberg due to?—I think to the contraction of the cement: that is the only cause that I can assign for it, the crack being right down from the top of the wall to the bottom.

8033. It was not due to a fault in the design?—No, I should not say that by any means, since I have not been a position to examine the foundations.

8034. Why then did you recommend that the foundations should in the Simonstown case be strengthened?—Simply I thought that they were not strong enough for the safety of the town.

8035. And was not that due to a fault in the design?—Not having seen the original designs I am not able to decide. It may have been due to the contractor not doing the work as designed.

8036. Was your recommendation to strengthen it carried out?—I believe so.

8037. Have you any information with regard to the rainfall of the catchment areas in the Cape Peninsula?—Only just as an outsider; I have no particular reasons for studying it closely, but of course one hears the records discussed sometimes, and finds them published in the papers.

8038. But you would not be in a position to inform the Commission of the capabilities of the Cape Peninsula as a gathering ground for the water supply of the Peninsula?—No, I am not in a position to give the exact figures, but I am perfectly ready to say that at present only a small portion of the whole collecting area has been taken in. Enormous quantities of water could be taken in.

8039. *Chairman.*] You take the figures of the Meteorological Commission?—Yes; looking at the range of mountains it will be seen that comparatively speaking a very small portion of it has been taken in by the present reservoirs. And there must be a considerable rainfall on the other portion,—the rainfall being about uniform for the Peninsula—and from Constantia right down to Simonstown there is only one place where an area has been taken in, and that is behind Muizenberg. I do not agree with Mr. Craig that it is an absolute fact that Table Mountain range will produce an insufficient supply, because you can take a good deal more still than you are taking now. It seems to me it is only necessary to go outside for a supply in order to ensure one in the shortest time, and if it is convenient to do so.

8040. *Dr. Gregory.*] What information have you on which to base an opinion as to the yield of water on Table Mountain and the Table Mountain range?—So far, only the maps.

8041. Are there any gaugings available to the engineering profession at large?—Nothing except what has been published in connection with the Table Mountain Reservoir-rainfall information.

8042. And are those sufficient for you to form an opinion?—The area outside already taken in by the reservoirs would have to be gauged. We know there are so many square miles and so many inches of rainfall, but it depends a great deal on the nature of the ground on which the rain falls, as to how much is absorbed, and how much runs off, and how much goes into the crevices in the ground. These are matters which have to be investigated, and it is impossible to give an opinion off-hand.

8043. *Chairman.*] Did not the Meteorological Commission set up a number of gauges on the mountain range?—Yes, and the figures one can see.

8044. And they are trustworthy, are they not?—Yes.

8045. Are they pretty numerous?—In the Table Mountain portion, but not further down south. There are some at Tokai and I suppose at Simonstown, also one at Cape Point Lighthouse, but I don't think there are any on the intermediate portion, and it is a distance of about 18 or 19 miles.

8046. *Dr. Gregory.*] You know nothing definite as regards the water supply in the Cape Peninsula as to its present capacity and of the possibility of increasing its yield?—No, nothing definite, although survey would enable me to give more definite quantities.

8047. You are quite of opinion that the water supply in the Peninsula is, as a whole, inadequate at present?—There are the results—they could not supply nearly sufficient water in the summer time.

8048. Then, would you advise before deciding on any scheme for bringing water from a distance that the possibility of the yield from Table Mountain range should be further investigated by the Commission, or would you advise that it would be

better to go at once further afield?—Well if the second reservoir now being built is to be considered a sufficient supply for Cape Town of to-day—sufficient without any dearth in summer—then I should say wait before going further afield, at any rate wait until this survey has been made for the Commission. But if this new reservoir even now gives you a scanty supply—with a prospect of a water famine next summer—then it would be far better to go and take what you know there is and bring it in, because your suburbs will extend and you might eventually want outside water in any case.

8049. Have you any experience of the water and drainage schemes of the Peninsula?—No, I have not studied them particularly, but I know all the same what is going on. I know that things are very bad in the suburbs in that connection, if you will allow me to say so.

8050. Should not the Government engineering department, as such, be in a position to watch the engineering schemes not only in the Peninsula but throughout the Colony?—Yes, certainly.

8051. But at present you have no information or data?—None whatever. Unless the Local Authorities apply for a loan these matters are not brought before us, and we cannot go into them.

8052. And even when they do come before you, in that case your information only goes as far as the plans go which are submitted, and not to any departure from the plans?—No, in most of these cases we make our own surveys. When the surveys have been made by engineers in whom we have confidence, then of course we accept them and advise the Government.

8053. But there is no Government official through whom any variation of the plans after they have been submitted to you, could be brought to the notice of the Government?—Oh yes, because all these schemes, where the Government give the money, are constantly inspected by us. For instance, when a loan is sanctioned of say £50,000, only an amount *pro rata* to the progress of the work is paid, and before the payment takes place we make an inspection to see that the work is properly carried out, in accordance with the plans and specifications—without a certificate to that effect from our office the money will not be paid.

8054. That is only when public money is used?—Yes.

8055. So that only in that case is the Public Works Department called in, and when they get their loans elsewhere they can do as they like?—Yes.

8056. As a rule, have they to pay a larger rate or interest when they go to the public for their loans?—Generally more, and sometimes at double the rate of interest at which they could get it from the Government.

8057. Then why in your opinion do so few Local Authorities come to the Government for loans?—For a very simple reason—the Government have not the money to lend. The Government put aside only a limited amount of money for such purposes—whether under the Irrigation Act or Public Loans Act. At present it is practically hung up.

8058. Have you any knowledge of the reason why the Government put aside such a small amount of money for the purpose?—That is a political matter.

8059. *Chairman.*] And who gets the first pull at that money?—That is also a political matter.

8060. *Dr. Gregory.*] You stated just now that the schemes in the suburbs are bad?—Oh, not the sewage schemes; but I am referring to the system of removals. Take Wynberg for instance: there is a slop removal in the morning. Some time ago I wanted to know what the slop-water amounted to in a place like Wynberg, and the Engineer told me officially that there was brought down to the depositing ground about 9,000 gallons a day, and there must be something like 40,000 collected and removable in Wynberg. But to understand this you have to watch the removals; we have tubs in the yards to take the stuff. Out of these tubs it is taken in pails, with the result that half of it remains spilt in your back yards. Then when the pails are emptied into the cart or wagon in the street another portion is spilt there, and besides it is constantly being lost on the way to the depositing ground, so that it is no wonder that only one quarter of it reaches there.

8061. *Chairman.*] And where does it go to when it gets to the depositing ground?—Into the sand.

8062. It is a small farm that they bought?—Well, it is waste land, but I don't know whether they bought it or not. Very likely it is Government land or Municipal land. I may say that it is being used for agricultural purposes, after both stercus and slops have been deposited thereon.

8063. You want a Government Inspector to be put over that removal arrangement?—Yes; it ought not to be allowed. I have more than once been tempted to write to the Medical Officer of Health about it. I have spoken to the Municipality, and they say they have not the money to remedy it.

Mr. W. Westhofen. 15th May, 1902.

8064. That is a case of bad regulations?—Yes, and bad workmen—you cannot get labourers to do the work.

8065. Wynberg is going to introduce a drainage scheme?—Yes.

8066. Are you aware of any of the details of that scheme?—Only what was published in the papers. I was also present at two public meetings of ratepayers held in connection with it. A resolution was passed to the effect that the Council should spend £60,000 on the scheme.

8067. You know nothing of the details of the scheme?—The details so far as I know are that there is going to be bacteriological treatment somewhere near Princess Vlei, and the effluent is to be discharged on to the land. Recently I have seen a report by the Municipal Engineer, and in that he stated that he had the sewage analysed and found that the slops were not suitable for bacteriological treatment, but whether that is so or not I am not in a position to say.

8068. Have you any experience of bacteriological treatment?—Only what I have seen in the neighbourhood here, and what I have read in technical works and journals, and of the proceedings in England of the Commission which has been appointed, and which is now investigating the matter.

8069. Are you aware, or are you not, that the opinion as to what is exactly the best system of bacteriological treatment is at present somewhat undecided?—Yes.

8070. And it is also within your knowledge that systems which were really thought good a few years ago are now considered to be obsolete?—Yes, that is so.

8071. And it therefore becomes a very serious matter in coming to a decision to know exactly that one is adopting the best system at the time being?—Yes.

8072. In the event of the effluent not being sufficiently purified in the treatment, and it being discharged into small inland lakes or water such as at Princess Vlei, a serious nuisance might arise?—There is great danger of it, certainly.

8073. The outfall of the sewer is to be on a farm consisting in the whole of about 70 acres?—So I understand.

8074. Now, the 70 acres would not be sufficient for the works, in order to provide ground for a sewage farm?—Do you mean for passing through the bacteriological treatment or dealing with crude sewage?

8075. In passing through the bacteriological treatment—I mean unless very great care were exercised?—Yes. Of course, the ground is very absorbent there, and I daresay that 70 acres probably would be large enough if there is a satisfactory effluent. But there is one danger connected with the scheme that I see: In the winter the whole of that part is simply one swamp, and it would therefore be impossible to absorb during that p riod of the year all the effluent which will remain more or less on the surface.

8075(a). And therefore, as this place practically borders on Princess Vlei, unless great care is taken it would result in the effluent being discharged into the Vlei?—I suppose it would practically come to that.

8076. Are you acquainted with the Cape Town drainage scheme?—No, not at all—except what I read.

8077. On broad general principles would you advise the disposal of sewage of the Cape Peninsula outside the Bay?—I certainly would advise to carry it outside the Breakwater, and not to discharge it into the Bay under any circumstances whatever.

8078. Neither with nor without bacteriological treatment?—I alluded more to crude sewage, but I don't think it would do any harm if treated bacteriologically—provided such treatment is efficient and successful.

8079. But if it could be led into the Cape Town main drain and discharged with the Cape Town outfall?—At Three Anchor Bay?

8080. Yes. Would you on broad principles be inclined to say that it would be a better scheme?—I should say so, but I don't think that the outfall which has been constructed for the Cape Town sewage scheme would be large enough to take the sewage from the suburbs as well. It was only designed for a certain area.

8081. *Chairman.*] That is a point that we could get from the Engineer of the works?—Yes. I cannot see how you would be able to take such an enormous quantity in—you would probably require double the capacity, and assuming that they have allowed for the growth of the place I scarcely think they would have allowed to such an extent.

8082. *Dr. Gregory.*] So that it comes down to this: that when Cape Town was sewered the question of the suburbs should have been taken into consideration at the same time?—It might have been certainly.

8083. It is an argument against one circumscribed area dealing with matters which affect interests far beyond its border?—Yes; I think that matter would have been better dealt with if such a Board as you propose had been established—they would at once have looked forward to taking the whole area in.

8084. So that probably larger expenditure will eventually have to be incurred than would have been necessary had the whole thing been considered on broad lines?—Yes, considerably greater expense.

8085. Have you any knowledge of outside water schemes?—You mean outside the Peninsula?

8086. Yes; the Steenbras River scheme, for instance?—Nothing beyond having read of it.

8087. Do you know of any gathering ground that might be suitable for a water supply for the Peninsula?—There is the Steenbras River which you have mentioned, and then there is the Palmiet River a few miles further on. Then of course there is the Witte River at Wellington, and also the Berg River.

8088. Have you any personal knowledge of these supplies?—Not as regards figures, but I have seen them.

8089. Have you formed any conclusion as to which would be the better and more economical and more feasible?—No; the water of the upper portion of Palmiet River is very fine, colourless, and very pure, but lower down again it gets discoloured, and I am told that Steenbras River, which I have not seen myself, is also very discoloured.

8090. What portion of Palmiet River do you include in the upper part?—To where you go over the nek.

8091. The upper side of Grabouw?—Yes.

8092. And that is found to be a clear colourless supply?—Yes.

8093. You have no knowledge of what the probable quantity would be?—No, I could not say.

8094. Would it be a very expensive matter to ascertain that?—No, we are making a road there at present and I could easily instruct my men to take rough gaugings over there extending over a month or so.

8095. Unfortunately that would not be for the dry season?—The Palmiet River is never dry, but of course it may be a very small quantity in the summer. To be absolutely sure we should have to take gaugings over a year or more, but merely to give an idea of what quantity there may be expected for storage purposes in the winter time that we could give you in the course of a few months or so.

8096. Could you give us some idea of what works would be necessary and what the approximate cost of those works would be which would be necessary to store it?—You cannot do that without a survey—and a very big survey.

8097. Would it be a very expensive or prolonged matter to make such a survey?—You see you can survey the ground but you cannot prepare the reservoir until you know what the quantity of water is going to be. You can take a survey of the land, but when it comes to fixing a site for the reservoir then it becomes entirely a question of what quantity of water you are going to store.

8098. Practically, what would you consider the shortest time in which observations could be made to enable a report to be issued?—I should not like to say less than eighteen months.

8099. But before that you think an estimate of its possibilities could be obtained?—What I mean is this: in any case you would have to store water and you would have to store it in the flood time over and above what you could get out of the flow in the summer time, and the quantity that could be stored you could ascertain during the course of the winter.

8100. You would have to take into consideration whether the quantity is abnormal or not?—You could tell what the average would be more or less from the quantity of rainfall.

8101. Apart from that an approximate cost of bringing the water to the Peninsula could easily be obtained?—Oh yes, when once you know the size of your reservoir and you know what quantity of water you are going to bring, then you fix the size of your pipes accordingly.

8102. *Mr. Gurney.*] The strengthening of the Simonstown reservoir owing to the Government having the power to intervene for the safety of the public is a very fair instance of the desirability of some higher power having a say in these matters?—Yes, certainly.

8103. The engineers, I take it, may find themselves considerably hampered by the limit of the amount of money that the Municipalities are prepared to spend, and consequently they may somewhat forget the public safety, and hence the desirability of having these schemes approved by a higher authority?—Yes

8104. The Government had no opportunity of stepping in in the case of the Wynberg reservoir in that respect?—Of course the first reservoir was constructed long ago.

8105. I am speaking of the service reservoir?—There was no consultation whatever with the Government about it.

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8106. And therefore Government expressed no opinion, nor did they intervene even for the public safety on account of having no *locus standi* in the matter?—That is how I understood it; I may be mistaken, and I should like to be corrected if I am; but I represented the matter to the Commissioner, and pointed out the question of the public safety of the people, but the answer came that we could not interfere.

8107. And the Mayor represented to us that some expenditure had taken place because some of the residents and ratepayers had become nervous as to something happening, but apparently the ratepayers had no power to come to the Government and to ask the Government to help them?—In what way?

8108. The representation was that the ratepayers were nervous, as they thought that something was going to happen, and, consequently, the Municipality very kindly spent some money on the reservoir to make them happier?—I don't think the new reservoir there could have had anything happened to it which would have created a danger; the only thing was that they did not get enough water. From the position of the reservoir there was no danger to the town simply because, being a dug-out reservoir, it could not have burst. I must say I have never heard of a fear on the part of the people, only that in the summer time there was not enough water. Suddenly, on a Saturday afternoon perhaps, the water is taken off, and, of course, we inhabitants have represented it to the Municipality, and they promised that we should get an increased supply when the new reservoir was finished, and in that we have been disappointed. What the reason may be I could not say.

8109. You are in charge of the Government Water Boring Department?—Yes.

8110. Has the Government done much work in the Cape Peninsula?—The Government has not done a great deal, but we have bored a number of holes at the Uitvlugt location, where we get 3,600 gallons from five holes. Then we bored another hole at Windmill, near Maitland, and we went 25 feet deep, and the whole yields 1,000 gallons an hour, which is a very good supply. Since then we have bored more holes, but we have not hit on the same vein.

8111. Judging from these results so far, are you of opinion that much water can be procured in the Cape Peninsula from boring?—No, I don't think so.

8112. The Public Works Department has wanted to take over all the main roads of the country for a long time?—Yes.

8113. Do you still hold that view?—Oh, yes.

8114. Would you wish that to apply to the Cape Peninsula notwithstanding the evidence you have been giving in that connection?—I would not take them out of the hands of the Municipality but out of the hands of the Divisional Council.

8115. *Mr. Stewart.*] You referred to the service reservoir being built for the Water Board at Newlands?—Yes.

8116. And you mentioned that from information supplied to you, you did not consider it quite safe?—Yes, but I said that my informant did not consider it safe.

8117. Have you seen the reservoir yourself?—I have not.

8118. Is it not rather a serious remark to make for publication in that case?—I gave the Commission distinctly to understand that I was speaking from hearsay, and that upon the information I got I took the steps which I considered necessary as a Government official to take in bringing the matter to the notice of the Government, who told me, however that they had no *locus standi* in the matter at all, and I then purposely did not go further with the matter, nor did I visit the reservoir.

8119. I put you that question because we have had so much unreliable hearsay evidence that one does not like to go far with it. Would it be possible do you think to produce your informant?—No. (*See end of this day's Minutes of Evidence*).

8120. Do you happen to know the depth of the water it is intended to contain?—About 30 feet.

8121. Do you know what depth the Molteno reservoir holds nowadays?—I could not say.

8122. Would you accept it from me that it holds about 35 feet?—Oh yes, if you say so.

8123. And that reservoir has been holding that depth of water for a considerable number of years?—Yes.

8124. Do you know whether the Waterworks Board had engineering advice as regards the reservoir at Newlands?—They have got their own engineer.

8125. You don't know whether they have any outside advice?—I don't know.

8126. You mentioned about the Wynberg and Simonstown reservoirs having cracks; now, do you know of any other reservoirs in this country of the same size as those service reservoirs and of the same nature?—I could not say exactly of the same size, although I have seen a few, but I don't remember off-hand the size of any of them.

8127. Have you seen any one with longer walls than either of those?—No, I have not.

8128. You have seen walls for railway purposes of considerable length?—Yes.

8129. Have you ever seen one of considerable length without cracks in it?—I don't remember; I think they are mostly cracked, but I should think a railway retaining wall a very different thing from those of a storage reservoir.

8130. It would be contrary to all principles of works if they did not crack?—I would not say so at all.

8131. There are such things as expansion and contraction?—Yes.

8132. As well as a drawing out and a coming together?—No, there is no drawing apart and coming together.

8133. It breaks apart?—It expands and contracts like an iron bar, but it does not open out.

8134. Is not the elasticity of the iron bar different from that of concrete?—Yes.

8135. You gave us the depth of the Wynberg reservoir as 18 feet?—I said probably; I was not speaking from personal knowledge.

8136. Do you know whether the Simonstown reservoir was ever strengthened upon the recommendation to the Government?—I think so.

8137. Are you sure?—I am not sure; I will ask the Chairman's permission to supply the information after I have consulted the papers.

8138. *Chairman.*] If you have any report it would be better to put it in?—Yes; I shall have much pleasure in doing so. (*Appendix G.*)

8139. *Mr. Stewart.*] As a matter of fact, the reservoir was not strengthened?—Was the bank in front not strengthened?

8140. We come to the question of sewage: you have heard of Mr. Baldwin Latham, and you have heard of Mr. Mansergh, who was the President of the Civil Engineers last year?—Yes.

8141. Are you aware that he recommended the septic tank system for Ceylon, Colombo, and the bacteriological treatment for Manchester?—Yes.

8142. Then there must be something in it?—I am entirely in favour of it, if it can be carried out successfully.

8143. You mention that as regards the Wynberg disposal farm the place was a swamp in winter; have you seen the exact site where this land is in a state of swamp?—I could not say.

8144. The inference was that the site was unsuitable because the whole of the country in winter was a swamp?—Some time ago we were constructing a road from Plumstead Station to Princess Vlei and I had occasion to go down there pretty often, and in driving down there we had to pass through water a long way, and as far as I could see the water was standing for many days after rain. As to where this particular site is I could not speak positively and therefore cannot say whether the farm is unsuitable or not.

8145. The district varies a good deal in the depth of sand and the height above sea level?—Yes, there are rises and depressions of no great extent.

8146. You have never from your admission seen this particular piece of ground in swamp?—No, I have not.

8147. *Dr. Gregory.*] The question as to the bacteriological system of sewage treatment is not one of whether as a principle it is good or not—there are no two opinions about the matter?—That is so.

8148. All experts agree that it is the proper system, broadly speaking?—Yes.

8149. But there are within your knowledge, are there not, a number of different applications of the system?—Yes.

8150. And some of them give not nearly such good results as others?—No.

8151. For instance there is a very considerable difference in the results as to whether merely a septic tank is employed or whether upward filtration is done?—Yes.

8152. So that what may be an eminently good application for the principle in one system would not necessarily be a good application in another system?—Quite so.

8153. And it was in regard to the application of the principle that you were speaking, and not to the principle itself?—Entirely. I would recommend this bacteriological treatment if I were satisfied that the conditions made it fairly apparent of success.

8154. And, therefore, when an engineer advises the adoption of the bacteriological system for Ceylon he was not advising recklessly?—He must have known what he was recommending and spoken to the book.

8155. *Chairman.*] This Princess Vlei, is there any means of draining it?—There are two—Princes Vlei and Princess Vlei, the latter is the nearest to the Plumstead road, and is but a small sheet, the former a very large sheet of water.

8156. Is it just a vlei of stagnant water?—Yes, more or less so.

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8157. Is there any outlet?—Not to Princes Vlei, but the absorption in the soil is very considerable.

8158. Are there springs or is it simply run-off water coming down?—Yes, I would not speak positively, but I think it is simply running water—drainage of rain water from the mountain.

8159. You are an inhabitant of Wynberg?—Yes.

8160. What do the poor people there do for water?—It is laid on all over the town.

8161. We have it from a Councillor that only two-thirds of the houses have water?—Laid on into the houses?

8162. Yes.—I could not say.

8163. There are no public water taps; now where do the poor inhabitants get water?—They borrow and take what they can get from others.

8164. It appears from evidence that typhoid had become endemic in Wynberg, and I wanted to find out whether it is perhaps due to the water used by some people?—No, but we should be surprised that it is not worse, there have been very many deaths during the last two years in the military hospitals from enteric fever.

8165. Do not the poor people or some of the people use water from wells and from ditches which is more or less polluted water?—They are using water from wells but there are no ditches except small slop water gutters.

8166. Is there not a ditch where people go and get water with pails?—There are ditches where the rain water may collect, but I have never seen anyone taking water from it.

8167. As an inhabitant of Wynberg, don't you think that it would be to the public advantage if the poorer class of people there had a free water supply by means of public taps or something of that kind?—Oh, yes, I should certainly say so.

8168. In all towns having a water supply, should there not be a number of free taps?—Yes, it is the rule, I believe.

8169. But there are none in Wynberg?—I have not seen any.

8170. Then if the poorer people cannot get a drink of good water from a neighbour they have no other means of getting it?—Yes.

8171. *Mr. Stewart.*] As a matter of fact, there is a public tap near the Railway Station?—Yes. I took it to be one put there by the Railway Department.

8172. *Chairman.*] Is that the only one?—I know of no other.

8173. You spoke of the water supply, and you referred to the Palmiet River and the Steenbras River and other possible sources of supply; do you agree that there is no running stream on which we could depend for a supply for the Peninsula?—Well, there is a perennial stream, but it dwindles down to a very small supply in summer.

8174. But is it large enough for a supply?—I should not say sufficient unless flood-water is stored.

8175. Then in either case, to make the supply a sufficient one you must store?—Yes.

8176. That is an expensive business?—Yes, and the question is whether they will allow you to take the whole of the stream out.

8177. I was coming to that; you can only secure a large supply from stormwater?—Yes.

8178. And as far as you know, the ownership of stormwater in this country is undetermined?—Yes

8179. And we could not store water on an area like that without legislation giving us the authority to do so?—Quite so.

8180. That applies universally?—Yes, everywhere in the Colony.

8181. You are hydrographically acquainted with the country within a hundred miles of Cape Town?—Yes.

8182. Do you know of a running stream of water within that radius from which a constant supply of water can be had for the Peninsula?—No, I only know of those sources that I have mentioned.

8183. So that if a large supply of water is to be made for the Peninsula, it will have to be done by storage?—Yes.

8184. Do you know the stream called the Oliphant's Hoek River?—Yes.

8185. You have been there?—Not to the source, but I have seen the stream.

8186. Do you know what proportion of the water of the Berg River would run from that branch?—I don't know.

8187. Has the Berg River other sources?—Oh yes, several from French Hoek, and also from Stellenbosch Nek.

8188. Do you know the River called the Twenty-four Rivers?—Yes. It is a tributary of the Berg River lower down.

8189. Have you been there?—Yes.

8190. What sort of a river is that?—It rises somewhere in the Tulbagh mountains but it is not a running stream—in summer it consists merely of stagnant pools.

8191. You would have to store water there?—Yes, even the Breede River would not be sufficient to supply Cape Town.

8192. Is the water in the Twenty-four Rivers good water as far as you knew?—Yes, I should think so.

8193. Where did you see it?—On the main road from Porterville, but I have not been up the mountain side.

8194. You don't know of a certain report made by Mr. Bain who was an officer of your Department formerly?—I saw it mentioned, but I have not found time to look it up.

8195. Would it be consistent with your official duties to give us your views upon that report if you are supplied with a copy?—I shall certainly do so.

On the following day the subjoined letter was receiv ed from Mr. Westhofen:—

No. 13/286.

Office of the Chief Inspector of Public Works,
Cape Town,
16th May, 1902.

The Secretary, Cape Peninsula Commission.

Sir,—I have to apologise to the Commission for having involuntarily made an incorrect statement with regard to the Simonstown Reservoir. I stated that the lower portion of the reservoir overhanging the town—consisting of a concrete wall backed by an earthen embankment—had been considered insufficient in strength, and that the Department had advised Government that it should be strengthened. On reference to my records, I find that such was not the case, but the defects discovered and reported upon were in another part of the structure, as will readily be seen by reference to the reports, copies of which are, by request of the Chairman, now submitted (under separate cover). *See Appendix G.*

With regard to the report appearing in this morning's *Cape Times*, I shall be glad if the Chairman will permit me to explain that, in replying to Mr. Stewart's question whether I could produce my informant—in the matter of the new Reservoir at Newlands—"that I could not produce him," I unfortunately overlooked the bad effect of such admission. I shall therefore be glad if I may be allowed to state that I meant to say I could not produce him *without his consent.* My informant is in Cape Town. He has seen the plans more than once, and has had good reasons for watching the progress of the work from week to week. If he consents, I have, of course, no objection whatever to give his name.

I have the honour to be,
Sir,
Your obedient Servant,

(Sgd.) W. WESTHOFEN, M.I.C.E.,
Engineer, P.W.D.

FRIDAY, 16th MAY, 1902.

Present:

Hon. Sir W. Bisset Berry (*Chairman*).

Mr. W. E. Gurney.	Dr. A. J. Anderson.
Dr. A. J. Gregory.	

Edwin John Earp (Mayor), *John Andrews* (Town Councillor), and *William Alexander Batchelor* (Municipal Clerk), of Rondebosch, examined. (All the questions were answered by *Mr. Earp*.)

Messrs. *E. J. Earp*, *John Andrews* and *W. A. Batchelor*. 16th May, 1902.

8196. *Chairman.*] You reside in Rondebosch?—Yes.

8197. And carry on business at Cape Town?—Yes.

8198. I suppose that is also the case with Mr. Andrews?—Yes.

8199. You are Mayor of Rondebosch?—Yes.

8200. Have you been a long time a member of the Rondebosch Town Council?—About 5 or 6 years.

8201. What is the area of Rondebosch?—1,850 acres, or about $2\frac{3}{4}$ square miles.

8202. Have you any idea of how much of that is built upon?—The area to be built upon is estimated at 250 acres.

8203. I mean closely built upon; I was not speaking of the outskirts where there are a few stray houses, but I mean the area occupied by the town proper?—Yes, that is what I understood you to mean. We have still to be built upon a quantity of land which would give 2,000 plots on which houses might be built, and, taking 7 persons per house, there is, therefore, room for an additional population of 14,000 people.

8204. Have you any area that can be called a commonage?—We have the Camp Ground: that is generally known as church land which the church hold in trust for the people. Practically it is commonage.

8205. The Municipality cannot alienate any part of that land?—They have no control over it whatever.

8206. Who has the control of it?—The trustees of the Episcopal Church at Rondebosch.

8207. And do they look after it?—We cannot say that they spend much upon it. There is room for great improvement there, but I understand that they have no special funds for the purpose of improving the land, and as they do not get any large revenue from the land they are not able to spend much upon it. In the public interest it would be better if the land was vested in the Municipality for the people.

8208. An effort was made in that direction some time ago by a Bill in Parliament, I believe?—Yes; but the Bill was thrown out in the Legislative Council, although it was passed in the House of Assembly by a large majority. I think it was very much to be regretted that it was thrown out.

8209. Has anything been done since in that matter?—No, not yet.

8210. Was the arrangement proposed to be made at that time in your opinion a fair and equitable one?—I consider that it was an exceedingly equitable one.

8211. And there is no other common land?—Not that I am aware of.

8212. I suppose there is a good deal of land in private hands that would be available for building plots in the future?—Yes, and I may say that the Municipality themselves have a large piece of land near the Camp Ground of about 35 acres in extent. It is of considerable value now.

8213. But there are many private owners of land owning pieces which can be cut up into building plots?—Yes.

8214. What is the population of Rondebosch?—Estimating it at about 7 persons per house, the population is 6,600.

8215. That is the European population?—No; there are a few coloured people, but in the main our population is European.

8216. Yours is not a poor population?—I think we, generally speaking, have less of the poorer class of house than any other Municipality.

8217. What is the number of houses?—943.

8218. What is the average value of the houses?—That is hard to say. We might take the immovable property valuation, but that also includes land as well as houses. In 1891 the immovable property valuation was £841,395.

8219. You have not the number of individual owners, but could you give us an idea of the average value per owner?—We will supply that to the Commission if it is desired.

8220. Your Municipality is constituted under the Act of 1882?—Yes.

8221. And of how many members does your Council consist?—Six members.

8222. Is not that number an exception to the rule?—Yes, I believe we are a rather smaller body than usual.

8223. What class of gentlemen do you generally get as members of Council—men with business in Cape Town and residing in Rondebosch, or have you a fair proportion of Councillors with business as well as residence in Rondebosch?—For the most part our Councillors are gentlemen residing in Rondebosch who have their businesses in Cape Town, but there is one member of the Council whose business, as well as whose place of residence, is in Rondebosch.

8224. *Mr. Gurney.*] Apparently from the statement of your accounts before us you have raised four loans, not including the Steenbras matter?—Yes.

8225. I see one was in 1894 for wash-houses and sidepaths of £3,200, another one was for £2,500 in 1899 for the Town Hall, and one of £18,000 in 1899–1900, of which £2,848 was for municipal stables, £2,600 was to redeem debentures, and £12,568 was for the erection of the Town Hall?—That is right.

8226. But the three last items which I mentioned do not make £18,000; can you give us the correct figures?—We raised £18,000 in 1899 for the purpose of a Town Hall and Municipal stables and the redemption of debentures. I think you will find that that figures out at about £18,000.

8227. But it does not make the exact £18,000?—There is an amount of £180 9s. for loans raised and unexpended; I do not know whether that makes the exact figure.

8228. Of your loan of £18,000, £17,617 was outstanding on the 31st December, 1901, I suppose you had repaid the difference?—Yes.

8229. As a matter of fact, another instalment was due on the following day; was that paid also?—Yes.

8230. The expenditure under these loans has been included in the return you have been good enough to make to the Commission under the ordinary receipts and payments heading, but have not you kept the loan expenditure separate from the ordinary accounts in your books?—That is, I should say, a matter of abstraction for the book-keeper. The accounts are kept quite separately in the books. Any expenditure incurred on account of a specified loan is debited to that particular loan.

8231. You are aware that the Act under which you work lays it down that you must keep a separate account of each loan raised and the expenditure of money raised against that loan must be properly debited against it?—That we have done, and we can give you a statement of the exact expenditure on any particular loan.

8232. In the statement rendered to us the receipts for the past five years shew a total of £63,250 5s. 0d. and the payments for the same period are £63,469 4s. 8d.?—Yes.

8233. But you will notice that £22,000 figures as the total of loans raised?—Quite so.

8234. And the expenditure against those loans is no doubt on the opposite side of the account under various headings?—Yes.

8235. But it is not shewn distinctly and marked as loan expenditure?—It does not appear to be so marked in the account, but you may take it that is the actual case.

8236. Can you tell us how much of that loan money has not yet been spent?—According to the accounts which I have had given to me, it is £180 19s.

8237. You will notice that, roughly speaking, your total receipts and total payments for the past five years differ by £200?—About that.

8238. So that, allowing for that amount of £180 in hand on the loans, the difference is, roughly, £380?—Yes, that will be the difference.

8239. Is it a fair conclusion to draw that your receipts and payments for ordinary purposes during the last five years have just about equalised?—That would be a fair conclusion to draw. For special purposes we have had special loans, but the ordinary revenue has about equalled the ordinary expenditure.

8240. How does it come about that you have an overdrawn balance on the General Account of £1,400?—At about that date considerable money is due to the Municipality.

8241. Yes, but the receipts have equalled the expenditure; is not this a constant overdraft which has been going on for five years?—We generally have an overdraft at the end of the year which is repaid at the beginning of the year, when the rates come in, but I do not think that that alters much our financial position.

8242. As a matter of fact, you had a balance in hand, according to the accounts supplied to us, on the 1st January, 1897?—Yes, a matter of £63—only a very small balance.

8243. No, you are taking the 1898 figures; you are speaking of the balance on the 31st December, 1897; you started in January, 1897, with a much larger balance?—Yes, I see, £230. We had that to the credit of the Municipality, whether in the bank or cash in hand I cannot say.

8244. You started with a balance of £230 17s. 5d., and you left off at the end of 1901 with a balance of £11 17s. 8d.?—Yes, that appears to be the case from the figures before me.

8245. Notwithstanding that, you show an overdrawn balance of £1,432. Now, what I want to know is how that comes about when your cash account shows you to have a credit balance of £11 17s. 8d.?—Of course, you are aware that these accounts are audited every year. I have the accounts for each year, shewing the balance brought forward, but I do not exactly see where the deficiency comes in.

8246. At first sight it would appear that this overdraft must be an old overdraft, dating back to more than five years ago, and that is the point I want to ascertain. Your receipts and payments have practically equalised themselves and you present an account shewing a nominal credit balance at the beginning of 1897 of £230 17s. 5d., and closing at the end of the five years with a nominal balance of £11 17s. 8d. But instead of that, you really have an overdrawn balance of £1,400. It therefore seems to follow that this overdrawn balance must belong to a period of at least five years ago?—I have no information before me to throw any light upon this matter at the present moment, but it is a matter that will be looked into.

8247. In making your arrangements for the current year, have you estimated for this overdrawn balance with a view to clearing it off, or do you propose that it shall remain?—I am sorry that I have not got the estimates before me, but I believe that it did appear in our estimates as part of the expenditure of the year, which we provided for it out of the rates of the year. We certainly intend to meet our liabilities.

8248. The point that the Commission would like to be clear upon is as to what this overdraft is due to. The accounts as rendered do not produce the overdraft, yet it is found to exist at the end of 1901, seeming to shew that it must have been in existence for more than five years?—We certainly do shew in our balance sheet of the 31st December, 1901, an amount due of £1,432. I have not the estimate before me for the present year, but I am very confident that we did provide for the payment of that amount.

8249. You quite see my point, I presume?—I do.

8250. I mean that if the receipts and expenditure have been practically equal, how does the overdraft come in at the end of the five years? Does it not seem to follow that it must have been an overdraft in existence five years ago and never met?—Without going minutely into the accounts, I could only speak generally, and say that the receipts have been equal to the expenditure.

8251. I note a further loan of £1,500 in 1900, a matter of debentures?—Yes.

8252. For what purpose was it raised?—To cover the additional cost of the Town Hall.

8253. It was raised subsequently to the Government loan of £18,000?—Quite so.

8254. Arrangements have been made, I presume, in connection with the repayment of this loan?—Yes.

8255. The Government loan is repayable by half-yearly instalments under the Local Works Loans Act; but as regards the other?—We will pay it off.

8256. Is there any Sinking Fund in existence?—Only in regard to the Government loan, but you will see that we have been constantly repaying our loans. We paid £200 in each of the years 1897 and 1898, £2,600 in 1899, and then we have been paying off the larger loan, so that we have paid altogether a total of £3,382 of our loans back.

8257. You have assets sufficient to meet your loans?—Yes; we consider that we have available assets in the Municipality for much more than our liabilities. We have land which we value at £10,000 which only cost the Municipality the small sum of about £500. We, therefore, feel that our creditors have good security for their loans, and that we are well able to pay our interest.

8258. And as you are repaying a large loan, you do not feel called upon to make any special provision for repaying the smaller ones?—Certainly not.

8259. You are also due to pay £9,500 to Mr. Stanford in connection with the Steenbras scheme?—Yes.

8260. We have had evidence giving the whole transaction of how you own half of that farm; that has been told to us by the Mayor of Mowbray, but he said that we

should find from the Rondebosch accounts that the payments of the two Municipalities —Mowbray and Rondebosch—in connection with the Steenbras purchase would be exactly the same, as you are each paying one half: was that the arrangement?—As I understand it.

8261. But as a matter of fact the Rondebosch accounts shew expenditure on the one side of £3,654 4s. 6d., and on the other side receipts of £1,827 2s. 3d.?—That may be accounted for as half of that will come from Mowbray. We paid the mouey in the first place, and Mowbray refunded their share to us.

8262. And therefore the net amount is £1,827 2s. 3d.?—Yes.

8263. But Mowbray only shews an expenditure on that head of £1,088 2s. 3d.; has then some other Municipality contributed?—Not at all. The arrangement was that it was to be a joint venture between Rondebosch and Mowbray, each Municipality to pay half.

8264. It may be a clerical error in the accounts from Mowbray that they should shew an expenditure of £800 less than your half payment?—That may explain the matter.

8265. I presume that the other did not come from Claremont?—No.

8266. Claremont has not, as yet, had, financially, anything to do with the matter?—Not as yet.

8267. You shew in your statement of finances on the 31st December, that you had a quantity of assets, plant valued at £270, piano £103 5s. 6d., municipal furniture £464, crockery £10, municipal buildings £13,991, municipal stables £2,596, livestock £660, and wash-houses and grounds, £1,958. Will you tell us exactly how you arrive at those amounts?—Those are actual cost, less, in some instances, a reduction for depreciation, but we believe that they are the value of the things named at the time in question. It is just as if, in an ordinary business, we took stock, and, although as a matter of fact, our figures do not represent the value by a long way, it is something after the style of having a regular valuation.

8268. A valuation with an allowance for depreciation?—Yes. We have written off for depreciation wherever we thought it necessary.

8269. I suppose that the "flagstaff" and the "scenery" entered at £83 and £153, respectively, are part of the Town Hall equipment?—Yes; the Town Hall is paying remarkably well, and has proved an exceedingly good venture financially, besides being a great convenience to the general public.

8270. Would the items "plant" and "livestock" represent actual valuation?—Yes, actual valuation at that date.

8271. Wash-houses and ground is an item of £1,958: is that the estimated value?—That is the ground to which I referred which we bought at a low price some years ago.

8272. Then you do not consider that to be the value of the ground at the present time?—Oh, dear, no.

8273. You consider, as a matter of fact, that the wash-houses and ground are worth a good deal more than £1,958?—We estimate the ground as worth £10,000 and consider that that is a low valuation.

8374. The statement of your financial position, therefore, although correct as being on the safe side, does not really bring out clearly the excess of assets over liabilities in your Municipality; that one item of wash-houses and ground being an example of what I mean?—That is so.

8275. As a matter of fact, Rondebosch is in a more favourable position than this statement shews?—Yes, we are quite aware of that.

8276. These things become of importance if anything is to be done in the way of amalgamation. You will perceive that in such a case the actual value of the Council's assets becomes of importance, and you have not rendered yourself justice in your statement of your position?—We have not, but in an ordinary business it is sometimes unwise to write up one's property too highly, because in a year or two there may be a depreciation, and it is not a pleasurable thing to have to write it down again. We have kept on the safe side in making out our statement, but we can give the Commission the present value of all our assets if it is desired.

8277. *Dr. Gregory.*] You say that you write off for depreciation, but in the item of £88 17s. for the flagstaff, is not that the actual payment?—I could not say whether that is the case or not, but in any event the flagstaff is of such recent erection that it would be somewhat early to write off anything for depreciation.

8278. But are not all these Municipal furniture items, such as the piano, set down at the exact amount that they cost you?—No. If you take the case of the piano, I may inform you that all the earnings on the piano are applied to the reduction of its cost.

8279. You have £2,596 down for Municipal stables, is that not the actual value of them now?—I should say that that is an under estimate. They were built about four years ago, and as you know the value of buildings is much higher to-day.

8280. But then you have written them down because you appear to have paid £2,605 for them?—I do not think that we have written down the value of any buildings.

8281. At any rate you appear to have expended more than £2,596, for according to our abstract there is an expenditure of £2,605 14s. 6d. on these stables, or is it stables, live stock, &c.?—I think it must include something of that sort. We certainly have not written down buildings, because it would be unnecessary and imprudent to write down the value of a good asset.

8282. This overdraft of £1,432 at the Standard Bank may be an overdraft on the loan account and not on the general account, may it not?—No, I do not think that is the case.

8283. How much of your loans remains unpaid at present?—£24,817 2s. 7d.

8284. *Chairman.*] The Government loan is a 40 years' loan, is it not?—Yes.

8285. And you are repaying capital at the same time as interest?—Yes. I would like to mention at this time that our rates have only been 1¼d. in the £ during the last 4 years, and in 1897 they were 1½d. There is a 6d. tenants' rate. In this way we compare favourably with the adjoining Municipalities.

8286. According to the return before us, your valuation has gone up from £567,000 in 1897 to £841,000 in 1901 and £874,000 in 1902?—Yes; from that it will be seen that the valuation of property in the Municipality has considerably increased; in fact it is nearly double what it was at the time that that return begins.

8287. Would that be arising from the increases in the number of the buildings?—Yes, and also from the general increase in the value of property.

8288. I see that in 1898 you had 780 houses at Rondebosch?—Yes, and now we have 1,000 and more.

8289. Estates have, of course, been sub-divided?—Yes; farms and estates in the district have been cut up and sold in small building plots, which, of course, bring large additions to the rates.

8290. *Dr. Gregory.*] Out of the £18,000 loan which you obtained, you redeemed certain debentures amounting to £2,600?—Yes.

8291. What debentures were those?—I think that was done to save interest on a loan which we had previously made.

8292. What loan was that?—That loan was raised to pay off a former loan.

8293. What was the amount of the loan and what was it for?—It was a loan for the construction of side paths.

8294. Have you got the details of that loan and when it was raised?—I have full particulars of all our loans to date.

8295. But your loan account does not really balance; you have borrowed £25,000 and still owe over £24,000, and you have paid off over £3,000. That does not balance, because £2,600 of what you have paid off was to pay off a previous loan which is not included in the loan account before us?—I have not gone fully into the accounts, but it is, to my mind, very clear. One loan was raised to pay off another loan which we had at a higher rate of interest.

8296. What did you say the original loan of £3,200 was raised for?—I do not know. I do not think that I was in the Council at the time the original loan was raised, but, from what I am informed by the Town Clerk, it was a loan raised for side paths and guttering, and I think that that is very probable.

8297. *Chairman.*] Then it will be included in the Side Paths Construction Account before us?—The original loan was, I believe, for £4,000, which was reduced by yearly instalments of £200, and ultimately it was merged into the Government loan which was at a lower rate of interest.

8298. You mean the amount borrowed from the Government in 1899?—Yes; that is the case.

8299. You had no real Sinking Fund in connection with that original loan of which we are speaking?—No. I do not think we had a proper Sinking Fund but we had a very practical one, for we paid off £200 every year.

8300. The next matter upon which we want information is that of water and water schemes. At the present moment your main water supply comes from the Suburban Water Works?—Yes.

8301. And those works are managed by a Committee of eight members?—Yes.

8302. Two of those members are representatives of your Municipality, I presume?—Yes, the Mayor and a Councillor.

8303. Is it your arrangement that the Mayor for the time being shall be a member of the Committee?—Yes, we have a resolution to that effect.

8304. I noticed in the *Gazette* the other day a new set of regulations published by your Committee?—You mean the Water Board (Joint Committee)?

8305. Yes ; are these regulations submitted in any way to the ratepayers or the consumers of water, or are they drawn up by the members of the Committee and at once published ?—They are drawn up by the members of the Committee.

8306. In that way then they differ from ordinary Municipal regulations which are generally submitted to the ratepayers, or, at all events, the ratepayers are invited to consider them before they are forwarded to the Governor for his consent and sanction ?—I think that the regulations drawn up by the Joint Committee are in accordance with the Act, and I presume that they require the approval of the Government.

8307. You believe then that they have to get the sanction of the Government ?—I am not quite clear about that, but it is my belief.

8308. Were these regulations forwarded to the Town Councils of Claremont, Rondebosch, Mowbray and Woodstock for consideration ?—No.

8309. They were simply adopted by their delegates on the Joint Committee ?—Quite so.

8310. Generally, how does Rondebosch come out in the matter of water supply from the Suburban Waterworks ?—I think fairly well ; there is very little complaint to make. Of course the supply is insufficient, and at one time building operations were stayed in the Municipality on account of the scarcity of water. There are also certain portions of the Municipality which are now urgently requiring water. I refer to the Mossop's Estate and the Sandown Road Estate and other portions of the Municipality. These estates have lately been sold for building purposes, and they require a water supply.

8311. Have the accounts of the Joint Committee been submitted to your Town Council ?—They have.

8312. How do you do at Rondebosch in the matter of the loan from the Standard Bank ; have you entered into any obligation in respect to the money raised by the Committee ?—The money is borrowed from the Standard Bank.

8313. Has the Town Council of Rondebosch, as a constituent authority of the Committee, given any obligation to the Standard Bank ?—None.

8314. You have not entered into an agreement to be responsible for the sum of £75,000 ?—I am a new member of the Joint Committee, but nothing of that kind has been done since I have been a member.

8315. How long have you been a member of the Committee ?—About six weeks.

8316. How does the Council of Rondebosch regard its liability in respect of the Suburban Waterworks ?—We have elected our representatives, to whom we entrust practically the management of that matter. We believe that we have a good asset, and we appoint our representatives to manage that asset as far as they can satisfactorily to the community, but rather more as a source of profit than a purely Municipal concern. Not purely with the object of profit, but also to be worked satisfactorily in the interests of the community.

8317. Do you regard it that the Town Councils interested—Claremont, Rondebosch, Mowbray and Woodstock—are severally and collectively liable for £75,000 or for the whole £300,000 ?—We are jointly and severally liable for the whole amount. We regard ourselves as partners in a concern.

8318. That means also that the Rondebosch Town Council has certain assets within the Municipality of Claremont ?—Yes, the assets of the old Water Company. When we require money we have the assets of the Municipality too, and, therefore, it makes the financial position of the Joint Committee an exceedingly strong one.

8319. Do you know the revenue derived by the Committee from Rondebosch ?—I have not got those figures.

8320. When you regard your borrowing powers as the Town Council of Rondebosch, limited by the Act of 1882 to ten times the amount of your annual revenue, do you include water revenue as another Municipality may ?—We look upon the water property as a separate concern, in which we have an interest.

8321. But another Municipality, in calculating its borrowing powers, in terms of the clause in the Act which declares them to be ten times its annual revenue, may take in its water revenue ; but by this arrangement you cannot do that ?—That may be a very happy hint to our Municipality, but we have not thought of it in that way yet.

8322. How long was it after this Joint Committee came into existence that you began to look further afield for water ?—We were looking further afield long before that. The want of water was very keenly felt in the suburbs. I think all the Municipalities and ratepayers were on the *qui vive* as to where they could get more water. It was felt to be an urgent necessity.

8323. Then you are not satisfied with the amount which you now get ?—No, certainly not. At the present time the Joint Committee have to refuse supplies to

Messrs. E. J. Earp, John Andrews and W. A. Batchelor. 16th May, 1902.

applicants because they have not sufficient water to meet the requirements of existing consumers.

8324. But independently of that, the Joint Committee still supply a large quantity of water to the Railway Department at Salt River?—Yes, that is so.

8325. But that is practically to the prejudice of the private consumer?—I believe that contracts were entered into with the Railway Dspartment by the old Suburban Waterworks Company and, besides that, one feels that the working of the Railway Department is so much in the public interest that it would only be right to meet the Railway requirements as far as possible.

8326. When did the Rondebosch Town Council begin to think about the purchase of Mr. Stanford's farm?—It was mentioned to us by one of our Councillors. He had heard of this Steenbras River water supply and considered it worthy of inspection by the Council.

8327. And then the Council made an inspection, I suppose?—Yes; and we were so far satisfied and pleased with what we saw that we considered it worth further inquiry and report.

8328. And then you called in a professional man?—Yes, in the first instance we had a surveyor, and then we engaged the services of Mr. Stewart, considering that he was, in our judgment, the best water expert we could get at the time.

8329. Had you bought the farm before he went there?—Not before he went there.

8330. His report on the whole was considered very favourable?—Yes.

8331. And was it on the strength of his report that you bought the farm?—Yes.

8332. Has anything been done in the way of constructing works there up to the present?—Nothing at all, but a certain amount of money has been spent for gauges, &c., to ascertain the amount of the daily flow and the annual flow.

8333. At the present you owe a good deal of money to Mr. Stanford?—Yes.

8334. Has not there been some legal difficulty in connection with the matter?—Yes.

8335. Will you give the Commission your version of this matter?—I would rather suggest that the Commission take the evidence of Mr. J. A. S. Watson, a late member of the Rondebosch Council, who knows more about this matter. He is willing to give evidence, and he will be able to give you more about the matter than I can. I may say that certain beacons were pointed out to us, and we understood that we were purchasing a suitable site for the reservoir as well.

8336. Your scheme, then, is limited to the Steenbras River bed, and you do not propose to incorporate that with the Palmiet River?—No; there is another river adjoining called the Kogel Bay stream, which flows into the Steenbras River somewhere near the outfall. I think that the scheme would include with the Steenbras River the Kogel Bay stream.

8337. You have had no other scheme before you?—Not so far as Rondebosch is concerned. Some of the Councillors inspected the Oliphant's Hoek stream, but that is not in our hands.

8338. At the present time you are trying to augment the supply in the suburbs by the construction of a reservoir on the Waterworks property?—Yes.

8339. I suppose you were not one of the Committee when that reservoir was agreed to?—No.

8340. So that you are not prepared to say much about that?—No; quite so.

8341. Have you a good many drinking fountains in Rondebosch?—Only one that I am aware of—that given to the Council by the late Mr. Moodie.

8342. Does the Joint Committee supply that fountain with water gratis?—No, the Municipality pay £2 15s. per year for the water.

8343. Is that the only source of water that the poorer people of Rondebosch have?—No.

8344. Are there other stand pipes where the poorer people, who cannot afford to pay the water rate, can obtain water?—We have one stand pipe where the poor people can get water freely.

8345. It is conveniently situated for them?—Yes, it is in a locality convenient, in the Albion Road.

8346. Does the Municipality pay for that water supply also?—Yes.

8347. In accordance with the quantity used?—Yes, by meter.

8348. Is there any complaint in Rondebosch as to the quality of the water?—I think that the ratepayers of Rondebosch are very well satisfied with the quality of water. I have never heard any complaints on that head.

8349. Are they better satisfied now with their treatment by the Joint Committee than they were in the days of the old Water Company?—I do not know.

8350. Whose administration is the better so far as Rondebosch is concerned?—I think that the Joint Committee is managing very well now. I do not hear any complaints about the management. I do not think, as far as the administration is concerned, that the people care very much about who are managing the water supply What the people want is water, and if you give water to them they are quite satisfied Those who get their full supply of water under the Joint Committee are quite as satisfied as those who got their full supply under the old Water Company. I might add that, lately, comparatively recently, the Water Board have begun to grant all applications for water made to them from places within the Municipalities. Whilst the drought was still with us the Committee had to refuse a good many applications for water, because of inability to supply existing customers, but we are now granting all applications inside the Municipalities.

8351. The Liesbeek River runs through Rondebosch?—Yes.

8352. I believe it is a fact that from the Albion Spring a large quantity of water ought to be allowed to go down the Liesbeek River for the purpose of keeping it clean?—Yes, I think that is so.

8353. Is it the duty of the Municipality to see that that is done?—I think it is the duty of the Municipality to look after the condition of the river which passes through its borders, but with regard to riparian rights of certain owners on the Liesbeek River, that does not come within the scope of the Municipal duty.

8354. You do not regard it as of Municipal interest to see that that 500,000 gallons of water per day is put into the river?—I was not aware of the amount that was to be put into the river.

8355. Was there not a decision of the Supreme Court with reference to that?—Yes. It appears that, hitherto, the Municipality have not considered it their special duty to see that riparian owners got the quantity of water to which they are entitled, and the lawsuit to which you have referred was a case of that kind.

8356. Then the Council do not regard it as part of their duty to see that the water does come down?—I do not think that they have done so.

8357. Then do you not regard it as part of your duty to see to the condition of the Liesbeck Stream?—That is certainly part of our duty. It was recently inspected by one of the Government Health Officers.

8358. You will admit, therefore, that it may be within the range of your duty to see that the water does come down?—It may be, but, hitherto, it has not been done.

8359. You would not be prepared to say that the Joint Committee have appropriated a good deal of that 500,000 gallons of water per day and disbursed it, instead of allowing it to go down the river?—I am prepared to say that I have no evidence, nor experience upon the point.

8360. *Dr. Gregory.*] You say that you elected two representatives from the Council to the Joint Committee; they can be elected from the ordinary ratepayers can they not?—Quite so.

8361. But the nomination must be made by the Council?—That has been the custom. I have not the Act before me, and so I cannot say whether it is necessary.

8362. There are certain things to be done by the Committee—delegated to the Committee by the Councils—have they, so far as your Council is concerned, ever been properly delegated to them by a resolution of the Council?—No further than through the election of representatives of the Council to the Board. I take it that the Council considered that when they had elected their representatives they had done what was necessary to bring them within the Act.

8363. The Act distinctly states that there are certain functions which the Committee may carry out on such being delegated to the Committee by the Councils concerned. Apparently no proper delegation appears to have been made?—Nothing further than the election, as far as I am aware.

8364. So that in a measure, the Committee are acting somewhat irregularly?—In this case if the Council believe that the Committee have these powers already it is unnecessary to delegate any other matter to them.

8365. But as the Act states that these powers are to be delegated, it seems only right and proper that the Councils should officially delegate them?—It seems to be really a legal matter. I think that both the Councils and the Committee consider that they are acting legally and representing the Councils.

8366. But there are things which the Committee can only do by the official delegation of the Council themselves; such as the augmentation of water supply: now they are augmenting their water supply, or taking steps to do it by constructing a new reservoir?—Yes.

8367. Was that matter brought forward by your Council and decided by your Council?—That I cannot answer because I was in England last year, and consequently know nothing about it.

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8368. Which members of your Council represent Rondebosch on the Committee?—Previously the late Mayor, Mr. Jenkinson, with Mr. Watson, represented Rondebosch. The present representatives are myself, as the Mayor, and Mr. Andrews.

8369. Cannot the Town Clerk say whether any definite resolution was passed to augment the supply in the manner in which it has been done?—A resolution was passed authorising the Committee to take up the loan.

8370. I am not speaking of the loan of £70,000 for the roservoir?—That was portion of the loan; the inference is that, in agreeing to the loan for buying out the Water Company, it must be applied for a definite purpose. To that extent the Council agreed to the expenditure.

8371. That was the original loan of £300,000 for the purchase of the Water Company's rights and everything?—It does not, from what the Town Clerk tells me, appear that there was any special authorisation by the Rondebosch Council empowering the Committee to augment their supply, but I take it they would consider it fairly within their ordinary duties if they wanted the concern to be a successful one.

8372. As I said the Act is very definite. It says that the Council shall, when it becomes necessary or expedient, have the full power and authority, *acting jointly*, to take all necessary steps to augment the supply, from which it appears that each Council must pass a resolution on the subject before the Committee can be empowered to undertake any augmentation of supply?—The Council think that they have representatives to whom they have delegated their powers. I understand that your position is that, for anything outside the water business, the Committee must continually come before the Councils.

8373. In large matters such as augmenting the supply.—Yes, I understand; whenever money is required beyond the present capital invested in the Company.

8374. You must not lose sight of the fact that the ordinary ratepayer may be a representative on the Board?—But that ratepayer, I take it, would be elected by the Council, and not by the ratepayers, so that, in any case, it is a delegated authority.

8375. Still he would not be attending the Council meetings like a Councillor, and it might be that the Council might lose all touch with the Committee, and therefore is it not necessary that the Council should safeguard its rights?—Copies of the minutes of the Committee are regularly supplied to the various Councils. They have them before them at the meetings. Perhaps I might say that they are not always read, but they are supplied and the Councils can see them. It seems reasonable, and very desirable, in large matters involving considerable expenditure, that the authority of the various Councils should be first obtained to the expenditure. The Committee is, generally speaking, delegated to manage that business and must be given sufficient powers.

8376. Would you, as a Council, be satisfied if Woodstock were to withdraw from this amalgamation of Councils for water purposes if they wished it?—I do not think that there would be any very serious objection to that. I think we would be perfectly satisfied.

8377. In undertaking the Steenbras River scheme, was it the intention of the Council that it should be amalgamated with the Committees working, or that it should be a separate undertaking?—The view which our Council took, and which I advocated very strongly, was that directly the Committee was formed the business of obtaining any increased water supply would be a matter for the Committee rather than the various Councils, because, we took it, that the various Councils would have their representatives on the Committee, that it would be their special business to look after these matters, and that it would be absurd for any one Council to have a separate water supply. The idea was that, as soon as the Committee was formed, water supply would be their business.

8378. Why, under those circumstances, have Rondebosch and Mowbray gone into this Steenbras River scheme?—They went into it before the Committee was formed, or, at any rate, about that time.

8379. Have no steps been taken to hand over that scheme to the Committee?—The Councils have expressed to the Committee their willingness to hand it over at cost price, considering that they are the proper authority to deal with water for the combined Municipalities.

8380. Has the Council any opinion, which you would feel yourself justified in expressing, upon the Oliphant's Hoek scheme and its bearing on the water supply?—I have not heard any opinion expressed by the Council as a Council. I, myself, have visited the Oliphant's Hoek source, and was very pleased at what I saw. There may be legal matters in connection with riparian rights, but otherwise it seems to me an abundant source of pure water, provided that they could get it at Woodstock. I cannot give you the views of the Rondebosch Council on the matter.

8381. What are your personal views, Mr. Earp, in regard to this scheme and the Committee—their relations to one another?—It is a matter in which we must be very much guided by practical men—men who have experience on water questions. I should like to see both schemes given to the Committee if one is insufficient. The Committee are the representatives of the people, and they might be entrusted to use these supplies in the best interests of the Municipalities generally, and not to look upon it in a narrow light, as, for instance, "This is for A and that for B," and so on. The whole of the water from both sources of supply should be used by some competent body for the interests of the whole community.

8382. But supposing that neither Oliphant's Hoek nor Steenbras River scheme are sufficient by themselves, would it not be better then to get some larger scheme than the two separate schemes?—I think that goes without saying. An abundant supply is required at the least possible cost and at the earliest opportunity.

8383. In the event of that being done, what would happen to the Steenbras scheme and to your money invested in it?—I think that the advantages to the ratepayers of the greater scheme would be so abundant that they would not consider for a moment the loss of a mere £10,000, if it be a loss; but in any case it would not be a loss, because the farm has a certain value.

8384. Would that be the other Councils' opinion?—Yes, they would think nothing about it.

8385. They would not expect the Committee or whatever authority had charge of the enlarged scheme to take over the debt?—No. Clearly they ought to do it because it was obtained in the interests of the community, and the Committee have accepted that position, and they are willing to take over the Steenbras scheme. It is not quite decided, but I have no doubt that the Committee will be glad of the Steenbras River supply.

8386. That brings us round to the other point of Woodstock being one of the authorities on the Committee, and that the Committee cannot legally take over the Steenbras scheme without the joint consent of all the four Councils, including Woodstock?—If one of the partners blocks the way to the prejudice of the community at large, then measures must be taken by Act of Parliament to put things right. We cannot go and do illegal things, and the next course to be adopted in such a case would be no approach Parliament who would see the position and aid the people in obtaining at abundant source of supply. To my mind an expenditure of £10,000 or even £20,000 being lost must not be considered for one moment if far greater advantages to the people can be obtained by a larger scheme.

8387. You are acquainted with the details of the origination of the Steenbras scheme?—Fairly so. I remember the matter being mentioned by one of the Councillors at Rondebosch, and he, in conjunction with a Councillor of the Mowbray Municipality, visited the site. On their recommendation other steps followed which I have already recounted.

8388. You are aware that in securing the farm you did not secure the whole area necessary to carry out the scheme?—Those are points I would rather Mr. Watson gave evidence about. In our judgment we thought we had got all that was essential.

8389. You, personally, cannot throw any light upon the negotiations?—I think Mr. Watson would give you fuller information. We were pointed out the spot and were informed that the other land was Crown land which we could obtain from the Government. It was afterwards found that what we thought was Crown land belonged to private owners, and now the position is somewhat uncertain.

8390. The matter is before the Privy Council, is it not?—Yes.

8391. Is your Municipality represented at these proceedings before the Privy Council?—The Government have taken up the case.

8392. But what steps have your Council taken to see that your case is properly represented?—I fancy that the Solicitors are acting jointly for the Municipality and the Government, but Mr. Watson would be able to give you more correctly the full details.

8393. *Mr. Gurney.*] I have a question, not directly arising out of water questions, but concerning large public works generally. I would like to put it to you. We had a witness before us, a Government engineer, who expressed the opinion that it was most desirable that there should be some higher power to intervene when any Municipality, or public body of that description, went into a big work, and see that the safety of the public was assured. He instanced the case of the new reservoir which your Water Board is building at Newlands, and held that there should be some higher power to step in and see that the work undertaken was such as properly protected the public safety?—That is a question to which I have not given much thought. In ordinary Municipal work the Town Council is the higher power which protects the public with

regard to buildings, but I take it that if Municipalities were doing that which would be detrimental to the public the Government is a still higher power.

8394. This evidence went to show that the Government had no such power?—I think that the Supreme Government should protect the public interest, if the action of any Council threatened it.

8395. They should have the power to step in?—Yes, and if the Municipality wanted to do some foolish thing Government should have the right to prevent it.

8396. Then you think that if in order to work economically a Council were running a risk the Government should have the power to step in and say that the public must be protected, even if the cost was larger?—I agree that they should have such power in large matters.

8397. *Chairman.*] With regard to the relationship of your Council with the Joint Committee. You know that in accordance with the Act the Municipalities jointly can raise £500,000?—The Joint Committee can.

8398. And you have delegated your powers to the Joint Committee. Do you know if the Councils jointly and severally authorised the Joint Committee to raise the loan of £300,000?—The Mayor of Rondebosch, with the other Mayors of the various Councils, was authorised to sign the document which was to have that effect. Authority was given by the Municipalities to the Joint Committee to borrow that money.

8399. They spent £220,000 out of that £300,000 in purchasing the property of the old Company, and you consider that the one resolution authorising the Committee to borrow this £300,000 covers all the powers necessary to build this new reservoir?—That appears to be the only resolution passed upon the matter.

8400. Then your borrowing powers as a Municipality would be limited by your obligations under these arrangements?—Yes. If that is so we must consider that one-fourth of the revenue of the Committee is part of our revenue.

8401. You stated clearly to us that it was the view of Rondebosch to work the Steenbras scheme through the Joint Committee?—Decidedly.

8402. You do not desire to part company with the Joint Committee?—No.

8403. In that respect you differ very prominently from the Woodstock people. They do not intend, and never did intend, to work their scheme through the Committee?—There must be a difference in that respect. My opinion is that such an important matter as water supply should be used for all the inhabitants of the suburbs.

8404. Do you consider that you could not legally break away from your engagements with the Joint Committee?—We look upon ourselves as partners in a business concern.

8405. And, even if you went so far as to have an independent water supply, you would look upon your obligation to the Joint Committee as remaining?—It must remain. I do not consider that we could withdraw from the partnership as now existing.

8406. The next point we would like evidence upon is the subject of drainage and sanitary systems. I presume that you have not done very much in the way of drainage works at Rondebosch?—Practically nothing, but we are most desirous that something should be done as soon as possible.

8407. You carry out sanitation by means of a collecting system?—Yes.

8408. Do you work it with your own employés?—Yes, departmentally. It is more economical and satisfactory.

8409. How does it come out?—I think fairly well. We have supplied you with the statement of the cost and the result of the five years' working.

8410. I see that you have a loss of £800 or £900. The five years' removals cost £4,700 and the receipts during that period were £3,931.?—I believe that is the case.

8411. You make up that loss out of the general revenue?—Yes, we consider it to be a very fair charge upon the general rates.

8412. Do you make the removals once a week or once a fortnight?—As often as is necessary. The removals are compulsory once a week. In some cases the removals take place twice and three times in a week. I may mention that the O'Brien system, a kind of dry earth closet system, is very much used with us.

8413. And the people who use that system do the work at their own cost?—Yes; it is a great improvement on the old system.

8414. Is there a good deal of that done?—Yes.

8415. What are your charges for removals?—The charges are 3d., 6d. and 9d., according to the value of the house.

8416. You have a depositing ground?—Yes.

8417. Where?—Just outside the Municipality; a farm which we rent for the purpose. We pay £24 a year, or something like that.

8418. Have you a slop water removal system?—Yes, we have that also.

8419. Is that worked in the same way?—Yes, there is a daily removal by cart.

8420. The figures under that head are included under the head of "Sanitary Removals," I presume?—Yes, there is no special charge for removal of slop water.

8421. Then the total loss on that account for all sanitary matters is not more than £800 or £900 in the course of the year?—No.

8422. Have you any scheme for the draining or sewering of Rondebosch?—Only in connection with the scheme by which Claremont, Rondebosch, Mowbray and Woodstock are to be drained. They are preparing, I understand, a plan for a main drain from Claremont for the outfall near Woodstock.

8423. How far have you got, so far as Rondebosch is concerned? Have plans been submitted to you?—No; we have just given our general consent that we are willing to join in some system of drainage which is recommended as a satisfactory one.

8424. Has your Municipality been surveyed with special reference to that?—No, but it requires doing, certainly, and proper levels taken.

8425. Have you an engineer of your own?—No; we have an inspector, but no one competent to undertake work such as that.

8426. What proposal has been submitted for engineering the scheme?—We have had consultations from time to time with the representatives of Claremont, Mowbray and Woodstock, but nothing definite has been decided upon except generally that we would unite in bearing a fair *pro rata* cost of the drain and outfall. We have had really no plans or surveys made or levels taken.

8427. You do not know over what route this main drain would be put down?—Not at all.

8428. You are aware, I presume, that there may be some difficulties about discharging sewage into the sea?—Yes. To my mind this is a matter upon which the Municipalities ought to be very clear.

8429. Then you would be in favour of doing nothing until the matter had been very thoroughly gone into?—We ought to get the best possible evidence in a matter of that kind.

8430. If it is found advisable to have some modern system for the disposal of the sewage of the suburbs, would you as a Town Council join in an arrangement of that kind?—Anything that would work satisfactorily we would join. We have one or two septic tanks at work in the town; I believe at the Diocesan College and Mr. Molteno's house, and I also understand that they are going to adopt it at the new Marsh's Home for Boys.

8431. Have you seen any tank at work?—I have not, but I am told that it is no nuisance, and, in a small way, works very satisfactorily. Whether it would answer for a large population is another matter.

8432. Are you aware that it has answered for large populations?—I have heard so.

8433. And the thing would be, in sanctioning any scheme for drainage, to see how far that could be worked into the scheme?—Yes.

8434. Your Municipality will be prepared to look into that?—Undoubtedly.

8435. You would be prepared to co-operate with your neighbours in that way too?—Undoubtedly.

8436. No plan or estimate of cost for drainage has been submitted to you?—I believe that we have really nothing before us at present.

8437. Have you satisfactory arrangements for carrying off storm water?—We have the river. We are now, and have been, putting down kerbing and guttering wherever we can do so.

8438. Is there any rush of water from the side of the mountain which damages the town at all during storms?—There have been some instances on the mountain side of the Main Road in which we have had rushes of water that have done damage to the roads, but I do not know whether they have done much damage to property. There is room for improvement, I will admit, in our provision for storm water. The Council have under consideration the desirability of more kerbing and guttering. We find that it tends to the cleanliness and better health of the people. We have recently been co-operating with the Divisional Council in such work on the Camp Ground Road, and an immense improvement has been brought about.

8439. There is no large work for protecting the town from storm water?—There is none so far as my experience goes.

8440. Most of your drainage at Rondebosch would be carried off by the Liesbeek River?—Yes.

8441. *Dr Gregory.*] You state in your abstract returns that your expenditure on nightsoil removals for last year was £1,071 4s. 3d., and your receipts under the same head were £1,105 2s.?—Yes.

8442. What does the expenditure consist of?—The nightsoil removal, the actual cost of wages, cost of water for cleansing, &c.

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8443. What are those receipts of £1,105 2s. made up of?—The charges we make for doing the work.

8444. So that you are making a little profit over the work?—Very little.

8445. Then, again, in your abstract you state that your expenditure on sanitary systems and nightsoil is £870 16s. 5d.?—Yes.

8446. I see that the items for "refuse" and "collecting kitchen water" agree with the abstract, but I cannot find anything for "nightsoil"?—I cannot give you any information upon that point. It appears to be lumped under the heading of "Departmental Works." It is possible that, in the abstract, the account has been omitted. I know, generally speaking, that we have found that the receipts from that source just about equal the expenditure.

8447. I think that £870 must be incorrect somewhere?—Yes, it may be, and our Secretary will furnish the proper figures.

8448. With regard to your proposed drainage scheme, practically nothing has been done beyond just agreeing to join in the combined scheme?—That is really it.

8449. But in the evidence given by Claremont and Mowbray, we have been told that the whole thing is fairly cut and dried?—We have agreed to co-operate, but we have had no estimate of expenditure before us.

8450. No estimate or plans have been submitted?—No.

8451. A certain amount of expenditure has been incurred in getting the engineer's report upon the matter. How does the Council stand in the matter?—We are liable for that, and have paid, or are going to pay.

8452. How much does it amount to?—I think about £50.

8453. Is that all?—That is all.

8454. In carrying out this scheme, has your Council thought about the matter in regard to its future administration? What is the proposal in regard to that?—The administration would be as provided by law. We should have to arrange for the drains running into the main drains in our Municipality to be under our control.

8455. But in regard to the main drains running through the different areas and finishing up at Woodstock, or on Government ground just beyond Woodstock, what would you propose should be provided for its administration?—I should say something like the Joint Committee—a Board constituted from the various Municipalities affected.

8456. Have you delegated any of the members of your Council to discuss this matter with the members of the other Councils?—We have had a Committee, but this matter took place whilst I was in England. I understand that members of our Council have met members of other Councils to discuss this drainage matter.

8457. But you have not appointed delegates to anything in the shape of a Board?—The position is very different to that of the Joint Committee, because one is legalised and the other is not.

8458. I have raised this matter because the idea in the minds of the other Municipalities is that you should contribute something to the main pipe line, and for that you would be able to discharge your sewage into it, and, beyond your boundary, you would not trouble any more about the matter?—I believe that was so.

8459. In which case there would be no common Board?—We take it, generally, that the scheme would be in the joint interests of all the Councils, and the rest would be a matter of equitable arrangement and management, provided it was satisfactory to all parties.

8460. I take it that, in your opinion, there must be a Board?—Undoubtedly.

8461. A Board appointed by the different Councils to deal with this drainage scheme and see the whole thing through?—Yes.

8462. And any other system in which each Council worked independently would be unsatisfactory?—I am in favour of such matters as water, drainage and lighting being dealt with under some unification of the Municipalities.

8463. *Dr. Anderson.*] Do you receive many complaints with regard to nightsoil in Rondebosch?—Very few.

8464. Is it not very unusual for you to get the whole cost of removal back again from the people?—We endeavour to make the cost as light as possible for the people.

8465. The poor have to pay as well as the well-to-do?—Yes.

8466. Is there no free removal at all?—No.

8467. And although there is a compulsory removal once a week the people have to pay for it?—Yes, the poor people have to pay 3d. per week, or 1s. a month it comes to.

8468. How do you collect that amount?—We have a collector.

8469. Supposing that the cart goes to a place and the person has not got 3d. to pay?—We will give him credit.

8470. I supoose that you lose a certain amount in that way?—A very small amount; the people in Rondebosch, I am happy to say, pay for such things.

8471. Have you any drains in Rondebosch?—Only storm water drains.

8472. Have you any cesspools?—I do not know of any.

8473. May I take it that this combined drainage scheme is very much "in the clouds" at present?—I think that it would be better to get the evidence on that point from some member of the Drainage Committee of the Municipality.

8474. You have a Drainage Committee?—Yes, and they have met the representatives of the other Councils on this question.

8475. Although you have agreed to combine with the other Councils, there has been no basis of agreement?—No, that is a matter to be settled afterwards.

8476. *Chairman.*] Upon your streets and roads you seem to have spent a good deal of money?—Yes, and we shall require to spend a good deal more. We have found that the sum we put aside for the purpose was really insufficient. Traffic increases, and the mileage of roads increases. The Municipal roads maintained by our Council are 9½ miles in extent, and then we have roads which have not yet been taken over by the Council, 6 miles in length. That does not include the private roads. The main road through our area, maintained by the Divisional Council, is 1¾ miles in length, and the Divisional roads maintained by the same Council are 2⅝ miles in extent. We find it is a very costly business to keep our length of 9½ miles of roads in good order.

8477. Is the Municipal Amendment Act in force in your Municipality?—It is in force, and the matter of compelling new roads to be placed in proper order is having the consideration of the Council.

8478. That Act compels the people who lay out new building areas to construct proper roads?—Yes: but we have not enforced it at present.

8479. Is that why you have a good many miles of roads not taken over?—That is the main reason.

8480. Are you going to give the Act an *ex post facto* effect and bring in those who have not yet been called upon to contribute?—It must apply to all, where we think that the roads should be taken over in the interest of the Municipality. The principle would be to advance the people the money to make the roads and we take a bond over the property.

8481. If it is to be done had it better not be done soon?—Yes, the sooner the better.

8482. Those whom you are going to compel now to contribute towards the construction of the roads may ask for some relief in consequence of your having let so many off in byegone years?—This taking over the roads is rather a difficult question.

8483. I see that the Divisional Council in their return put down the length of road they maintain in Rondebosch as 4½ miles. Is that in accord with your estimate?—Practically.

8484 You are aware that there has been a discussion as to the relationships between the Municipalities and the Cape Divisional Council?—Yes.

8485. It arises from the fact that the Municipalities have to contribute very largely to the Divisional Council revenue, and get very little for it?—Yes.

8486. From the return of the Divisional Council for 1901 I find that Rondebosch contributed in rates to the Divisional Council the sum of £3,127 18s. 9d., and the cost of maintaining the 4½ miles is set down at £1,055, exclusive of macadam, in respect of which £106 per mile is to be included, which would bring up the expenditure by the Divisional Council on those 4½ miles to between £1,800 and £1,900. That would leave a contribution of over £1,000 from Rondebosch towards the upkeep of the outside roads?—Yes.

8487. Can you tell me why it is that, in the matter of the valuation of the property in Rondebosch, the opposite exists in reference to the Cape Town Municipal and Divisional valuations. I see that last year's valuation by the Divisional Council exceeds the valuation by your Council to the extent of something like £200,000?—I should say that it is utterly inexplicable. To my mind the valuations in both cases have to be given at what is believed to be the actual value of the property, and why they should value at a higher rate for the Divisional Council than for the Municipal Council is inexplicable. Mr. Andrews reminds me that the Divisional Council area is probably not the same as the Municipal area.

8488. Your Municipal valuation at present is about £800,000?—Somewhere about that.

8489. And the Divisional Council valuation of the property "inside the Municipality" is a little over £1,000,000?—Is that so? I cannot explain it. I never could understand why there should be the slightest difference between Municipal valuation and Divisional valuation, provided they are valued at the same time.

8490. Who valued your property in the year 1900?—Mr. Fock.

8491. Do you know if he valued for the Divisional Council?—I do not know. Of course there are ebbs and flows in the value of property, and the difference can only be accounted for by one valuation being taken at a different time from the other.

8492. You are aware of the grievance of all the Municipalities in the suburbs against the Divisional Council in the matter of the rates?—Yes.

8493. You know that a Conference took place on the question?—I am aware.

8494. Were you present?—I was not.

8495. I suppose you are aware that certain resolutions were adopted which were forwarded to the various Municipal Councils?—Yes, they were before us at Rondebosch.

8496. I refer to the resolution in favour of taking over the maintenance of main roads and divisional roads within the various Municipalities?—I understand that the Rondebosch Municipal Council approved of the resolutions passed at that Conference.

8497. They adopted them, also giving effect to the opinion that you should be liable to a contribution towards the maintenance of the outside roads?—I did not know that that was in the resolution, but I think it is reasonable enough because the Municipalities derive benefit from the roads, and ought do something towards their upkeep.

8498. Of course it follows from that, that your Municipal Council would require larger rating powers?—Certainly.

8499. You would have to find another £2,000, supposing that you spent the same amount of money as the Divisional Council now spends upon their roads in your area?—That follows, if we were to keep the roads in order.

8500. I suppose you would be in favour of giving your contribution in a lump sum from the Municipal revenue?—It is a question that I have not gone into, but it seems a reasonable arrangement.

8501. *Dr. Gregory.*] How would you fix the amounts to be paid by the different Municipalities for the upkeep of the outside roads—*pro rata* to the rateable value of the Municipality?—Yes, and the contributions to vary according to the rateable value at the time being.

8502. Do you consider that it would be a wise proposal to hand over all Municipal roads to a general Board?—I think that, so far as Rondebosch is concerned, they would not be likely to be better managed under a Board than under the existing Council. The Divisional Council is, practically, a Road Board now.

8503. But would not the roads be more economically managed?—I do not think that any advantage would be gained by such a course.

8504. But supposing that a Board were established having powers and duties with regard to other matters, would not that of roads be advantageously delegated to them also?—I do not know that you are likely to get better men to manage the roads than there are on the Municipalities.

8505. But then the one staff of this combined Board would be more economical than the small separate staffs of the present Councils?—I do not quite see the force of this arrangement.

8506. But would not one large department for the whole Peninsula work more cheaply than a number of small ones?—I have not given any thought to this particular question, and I am not prepared to give an answer to the point.

8507. Intimately knit up with the question of roads is that of tramways?—Very much so.

8508. At the present moment the tramways are entirely outside your jurisdiction—you have not really any power to regulate their traffic?—They have running powers through the Municipality, but I consider that we are able to make certain regulations with regard to their traffic.

8509. But did not you and other Councils combine some time ago to make regulations, and then found out that you really had no power, and had to come to some agreemant with the Tramway Company?—I understand that that was the case.

8510. So that really you have no powers to regulate their running?—I am under the impression that we have. Surely they cannot run at any rate of speed through the Municipality without our having something to say.

8511. There is only the ordinary bye-law that affects any vehicle?—To that extent we have control.

8512. In laying their lines along your roads what steps were taken to protect your local interests—that is, to see that your roads were of sufficient width and that the rails were laid in the right part of the road?—The main roads were under the control of the Divisional Council and thus it was more of their business than ours. With regard to crossings we were consulted where they were to be, and we agreed to certain places, but we found that crossings were necessary for the Tramway Company in places where we were not in favour of having them, but, to enable the Tramway Company to work more efficiently, we agreed to their proposals.

8513. I am referring to the matter of protecting the interests of the inhabitants in your area; to whom was that left?—To ourselves so far as the crossings were concerned. The main matter was under the control of the Divisional Council.

8514. You, as a Council, took no steps to see that your interests were not neglected when the Tramway Company were applying for running powers?—A public meeting was called, at which the ratepayers agreed to the Tramway Company running through the Municipality.

8515. That was merely the matter of the principle?—Yes.

8516. But I am referring to the details?—They were left to the Divisional Councils, except with regard to the crossings.

8517. As a whole, how have the interests of the inhabitants been protected; have they been properly and sufficiently protected?—I think so, as much as possible.

8518. With respect to the crossings, are they so narrow at any portions of the road as to interfere with the ordinary traffic?—There are some portions that are certainly much narrower than we would prefer them to be, but not so narrow that ordinary traffic cannot pass the trams. That applies right along the road. If the road was 60 feet wide it would be better, but, being as it is, we had to do the best we could.

8519. No steps have been taken to require the Tramway Company to widen the road at these narrow places?—I understand that the Tramway Company were not allowed to run in any road that was not 30 feet wide. I believe that they had to expropriate in some portions to make the road the requisite width.

8520. Is not a 30 feet road too narrow for a "turn-out"?—We admit that, but the roads were there and had to be made the best of.

8521. There is a clause in the agreement by which the local authorities can take over these tramways?—I am under the impression that there is.

8522. But it will be practically impossible for you to exercise that right without combination on the part of the other Councillors?—Yes, that would be outside practical politics.

8523. So that any combination at the present time would facilitate the Municipal taking over the tramways in the future?—Decidedly.

8524. In your opinion, would it be a good thing for the tramways to be municipalised later on?—Yes, I think so. The results of tramway working by other Municipalities in other parts of the world are beneficial. They prove a source of profit and it is better that they should be under the control of the people than in the hands of private companies.

8525. The Tramway Company have to keep a certain portion of the road in good repair?—Yes.

8526. Who looks after the Company to see that they do that?—The Divisional Council along the Main Road.

8527. Do the Divisional Council carry out that duty satisfactorily?—As a matter of fact, I think that the Tramway Company's part of the road is kept in better repair than the part for which the Divisional Council are responsible.

8528. Then you consider that the Tramway Company carries out its obligations in that respect?—Yes, I think so.

8529. *Mr. Gurney.*] Is the width of streets and roads in Rondebosch as a rule fairly maintained?—I think so. I believe that we require that no road shall be less than 30 feet wide, unless there are exceptional circumstances, in which case the road must not be less than 20 feet wide.

8530. Has there been much encroachment by the proprietors of property adjoining roads in the matter of getting their fences and hedges too far out?—Very little.

8531. Has the Council taken any steps to protect the public interests in that respect?—I cannot speak from experience, but I believe that we had one case which we had to take to the Supreme Court, and it cost the Municipality a large sum. The Council had to pay largely for their zeal in endeavouring to get wider roads.

8532. I suppose that the Council does pay attention to this matter?—Certainly.

8533. *Dr. Anderson.*] Your Council, in agreeing to the resolutions passed with regard to the abolition of the Cape Divisional Council had, I suppose, in view the obtaining of the control over all the roads and streets in your Municipality?—Yes, I should say that that was the view.

8534. That was the object and, therefore, you would not be in favour, supposing that your Municipality were still in existence, of having your streets and roads taken over by another Board?—That would be a case of, as you were. The reply I suppose to that would be that the new Board would not be a Board like the Divisional Council, but a Board to take over the maintenance and control, not merely of what are now Divisional Council roads, but of all the roads in the Peninsula.

Messrs. E. J. Earp, John Andrews and W. A. Batchelor — 16th May, 1902.

8535. But if the Municipality existed still they would have something to do with the streets in their area?—Not if the control was taken out of their hands.

8536. But streets are used for various purposes. You might be requiring to put in drain pipes, and such things, and if there is one body looking after drains and another after streets, would it be satisfactory?—It would be a dual control, which is not generally satisfactory.

TUESDAY, 20th MAY, 1902.

Present :

Hon. Sir Bisset Berry (*Chairman*).

Mr. W. E. Gurney.	Dr. A. J. Anderson.
Mr. J. E. R. de Villiers.	Dr. A. J. Gregory.

Charles Stewart, B.Sc., examined.

Mr. Charles Stewart. — 20th May, 1902.

8537. *Chairman.*] You appear here as Secretary to the Meteorological Commission?—Yes.

8538. How long have you been Secretary to that Commission?—Since July, 1897.

8539. What other profession have you?—That is my official duty.

8540. Before the time named what were you engaged in?—I was Science Teacher, also engaged in Meteorology.

8541. Your Commission has been in existence for a good many years, I believe?—Yes, a good many years.

8542. How many years?—It seems to have been active from about 1860 to 1863 or 1864, then to have lapsed, and restarted in 1876 or 1877; its records have been continuous since that time.

8543. For how many years could you give us rainfall returns in connection with the Cape Peninsula?—We have them taken at one station, the Royal Observatory, for over 60 years. The other stations all over the Peninsula mostly vary from 23 years to one or two years.

8544. For how many years have there been stations on the top of Table Mountain?—For fully 20 years.

8545. And on the Southern slopes of Table Mountain or Hout Bay?—There are none at Hout Bay. There was a rain gauge at Orange Kloof for two or three years.

8546. Can you give us the dates of that?—In 1888 and 1889 the record was kept up; broken in 1890, but it began again in 1891. Mr. Thomas Stewart had a gauge there, and I believe has a gauge there still, but I get no returns from it.

8547. How did the record then come to be stopped?—Possibly it was not a Commission's gauge, so that I cannot tell.

8548. Will you please give us the records of Orange Kloof so far as you have them?—I have got them partly for 1888, completely for 1889, not at all for 1890, and completely for 1891.

8549. Is there any possibility of getting later or continuous observations from that place?—I believe there is, from Mr. Thomas Stewart, the engineer.

8550. What is the nearest gauge to Orange Kloof that your Commission has under its control?—Groot Constantia.

8551. Would that record be helpful to knowledge of the rainfall in Orange Kloof?—Yes; by taking a ratio between the years for which our observations were taken at Orange Kloof and the corresponding years at Groot Constantia. You would then get a percentage relationship between the two, and from that obtain a pretty fair approximation to the true average.

8552. Has there been any gauge on the top of Table Mountain just where the dip down into Orange Kloof begins?—Not to my knowledge.

8553. Have any observations on the top been made by other persons?—For 16 years we have had three or four gauges up there, which we have had observed by gentlemen who went up and down; former observers of the Royal Observatory.

8554. Where were they?—Disa Head, Waai Kopje, Kasteels Poort, and St. Michael's.

8555. Would these be places from which the rain would run off by way of Orange Kloof?—I am not exactly sure. I do not know the lie of Orange Kloof. I have only been twice to the top of the mountain.

8556. Water running at Disa Head would go into Orange Kloof, would it not?—I should think so.

8557. Can you give us the records with reference to these places that you have mentioned. Take Orange Kloof, for instance. By the way, can you tell me the exact place at Orange Kloof where the gauge was?—I can not. It was before my time, but I expect that it was at or near the Homestead on the Orange Kloof farm.

8558. At what height was it?—730 feet above sea level.

8559. What was the rainfall for the year 1889?—39·57 inches.

8560. And for the year 1891?—34·61 inches. The 1888 observations were begun in June and they shewed a total for the 7 remaining months of the year of 44·53 inches.

8561. Was that an abnormal year?—Yes, not only so far as the mountain is concerned; but at the Royal Observatory it was also certainly an abnormal year. At the Observatory, which might be taken as an index of the relative figures from year to year, the rainfall was 41·3 per cent. above the average. I mention that to shew that the excess was not confined to one side of the mountain only.

8562. Is that the best you can give us with regard to Orange Kloof?—Those are the only figures in my possession, but I believe Mr. Stewart could supply you with others.

8563. What other figures can you give us in connection with Table Mountain?—I made an extract of twenty years' observations so far as possible, beginning in 1881, and taking the period from 1881 to 1900 to get a twenty years' average.

8564. Will you give us the yearly rainfalls so that we will be able to notice the recurrence of dry years?—Yes. I will take Disa Head. In 1881 the rainfall was 87·98 inches; in 1882, 49·23 inches; 1883, 32·65 inches; 1884, 30·29; 1885, 35·18; 1886, 40·69; 1887, 41·53; 1888, 57·92; 1889, 43·30; 1890, 45·68; 1891, 45·83; 1892, 59·85; 1893, 35·78; 1894, 35·59; 1895, 37·88; 1896, 37·68; 1897, 38·26; 1898, 42·67; 1899, 34·87; 1900, 30·02; an average over the whole period of 43·14 inches. That is not what I would term representative of the whole mountain. The gauge is on a sort of water shed which invariably causes a rainfall less than the average over the mountain.

8565. Will you continue the figures?—I will give you the figures at Waai Kopje, beginning in 1881. It is situated more on the Cape Town side of the mountain and 600 feet higher than the gauge at Disa Head. In 1881 the observations only began in July. In 1882 the rainfall was 60·24 inches; 1883, 62·96; 1884, 55·66; 1885, 62·49; 1886, 54·67; 1887, 54·09; 1888, 78·35; 1889, 60·61; 1890, 55·08; 1891, 65·75; 1892, 80·36; 1893, 53·85; 1894, 54·35; 1895, 58·77; 1896, 52·76; 1897, 70·27; 1898, 69·51; 1899, 76·64; 1900, 62·54; giving an average over the period of 62·58 inches per annum.

8566. Another station?—I will take Kasteels Poort, which is somewhat lower—about 600 feet—than Waai Kopje, and near the Cape Town reservoir. The observations began about the end of 1884. In 1885 the rainfall reached a total of 63·71 inches. In 1886, 53·87; 1887, 53·61; 1888, 76·21; 1889, 60·06; 1890, 57·37; 1891, 55·66; 1892, 80·69; 1893, 51·30; 1894, 48·11; 1895, 53·66; 1896, 52·16; 1897, 58·85; 1898, 66·63; 1899, 64·95; 1900, 57·00; giving an average yearly rainfall of 59 60 inches.

8567. At the other station?—At St. Michael's, which is situated at a height of 3,050 feet above the sea level and on the northern side of the mountain, the complete figures begin in 1885, when there was a rainfall of 77·86 inches. In 1886, 67·46; 1887, 61·29; 1888, 99·08; 1889, 67·09; 1890, 66·00; 1891, 71·67; 1892, 97·89; 1893, 64·74; 1894, 63·15; 1895, 69·90; 1896, 59·58; 1897, 75·78; 1898, 74·81; 1899, 84·02; 1900, 65·78; giving an annual average of 72·88 inches. That is all I have on Table Mountain. We have other gauges on the Devil's Peak which have been in existence for about 5 years.

8568. On what other slopes of the Mountain have you got these gauges?—On the eastern slopes at Tokai, for example.

8569. Can you give us the figures there?—Yes; they are taken at the plantation.

8570. What is the elevation?—I cannot exactly say. My returns of rainfall begin in 1887 when the fall amounted to 30·16 inches. In 1888 it was 51·83; 1889, 38·09; 1890, 38·78; 1891, 38·01; 1892, 62·45; 1893, 32·95; 1894, 38·17; 1895, 35·11; 1896, 29·58; 1897, 35·53; 1898, 50·56; 1899, 40·41, 1900, 33·21; which gives an annual average of 39·63 inches.

Mr. Charles Stewart. 20th May, 1902.

8571. Have you a gauge at Noord Hoek?—No, we have a gauge at Fish Hoek, close to the sea, at Mr. Müller's residence.

8572. Have you any other gauges between Constantia and Cape Point?—We have had gauges at Simonstown for some time but the only one outside Simonstown is at Smith's Farm.

8573. Have you any gauges on the Steenbras River or the Palmiet River?—The nearest are at Somerset West and at Houw Hoek.

8574. Have you a gauge at the head waters of the Zonder End River?—Houw Hoek gauge is the nearest. We have now got a gauge at Wilge Boom's River. I think that is about the head waters of Zonder End River.

8575. How long has that been there?—Only for 2 or 3 months. It is the Houw Hoek gauge which has been removed to that place.

8576. Have you any gauge in the Caledon district?—One in the township of Caledon but none immediately outside.

8577. Have you observations from the neighbourhood of Piquetberg or Porterville?—We have had a gauge at Piquetberg for about 40 years.

8578. Will you please give us the readings of that gauge?—In 1880, 15·89 inches of rain were recorded. In 1881, 16·64; 1882, 17·69; 1883, 20·76; 1884, 15·01; 1885, 17·62; 1886, 27·97; 1887, 19·73; 1888, 34·60; 1889, 17·15; 1890, 19·78; 1891, 17 16; 1892, 27·14; 1893, 21·95; 1894, 20·32; 1895, 20·29; 1896, 9·89; 1897, 18·77; 1898, 28·94; 1899, 24·38; 1900, 21·23; giving an average since 1881 of 20·85 inches per annum. I should state that the rainfall at the Piquetberg station is not representative of the average over the district. It lies close in at the foot of the mountains, which, I imagine, would increase the rainfall.

8579. Have you any gauge at Porterville?—We have no gauge there.

8580. Have you a gauge at the Mission Station at Saron?—We had one there for some years.

8581. For what years?—The gauge has been there with a slight break from 1878 to 1892; the break being for about 10 months.

8582. Will you give us the rainfall recorded there?—In 1878, 32·57 inches were recorded; in 1879, 23·24; 1880, 17·05; 1881, 21·39; 1882, 16·70; 1883, 25·07; 1884, 21·43; 1885, 25·13; 1886, 23·47; 1887, 22·68; 1888, 32·00; in 1889 the return was an incomplete one, as also in 1890. In 1891 the rainfall was 25·51 inches, but in 1892 the return was again incomplete. The average of the rainfall during those years of which we have complete records was 23·85 inches.

8583. Have you any other gauge in that district?—We have a gauge at Rocklands in the Cold Bokkeveld.

8584. Can you give any returns from that place?—Our returns commence in 1886 to be continuous with a slight break in 1896. In 1886 the rainfall was 21·88; 1887, 19·94; 1888, 29·83; 1889, 18·54; 1890, 19·35; 1891, 18·11; 1892, 33·29; 1893, 31 07; 1894, 18·06; 1895, 25·37; 1896, 11·57; 1897, 18·43; 1898, 27·09; 1899, 28·77; 1900, 29·01; giving an average of 23·35 inches per annum.

8585. Is that gauge in the Winter Hoek mountains?—Rather on the other side; on the Schurfteberg mountains.

8586. Is there a gauge at French Hoek?—There is one in the Drakenstein at Weltevreden, one of Mr. Rhodes' farms.

8587. *Dr. Gregory.*] You have given us certain figures in regard to the Table Mountain rainfall, that I suppose is, practically, the only area near at hand which has been thoroughly, or fairly well, supplied with rain gauges?—It is.

8588. At how many stations on the mountain and in the Cape Peninsula are readings taken?—We have four stations on the mountain, which I have already mentioned.

8589. How many other stations are there run by private individuals?—Do you mean about the Peninsula?

8590. Yes; around about?—A considerable number, about 30.

8591. These are kept by private individuals for, and on behalf of, the Commission, I presume?—Yes.

8592. And they furnish the Commission with full particulars of the readings, which you record?—Yes.

8593. It has been stated that you were taking readings at Orange Kloof, but that, in 1890, and since then, they have been missing; why are they missing?—I cannot tell. It was outside my term of office.

8594. Can you give us any reason why they are missing now?—I have not the faintest idea.

8595. Can you tell us who took the readings in 1888, 1889, and 1891?—I am not able to say who was the person, but I can find out.

8596. What is the reason that you have for saying that, for the years 1890 and 1892, we could get the readings from Mr. Thomas Stewart?—I did not say anything of the kind.

8597. I beg your pardon, I understood you to say that?—I said that later readings could possibly, and in all likelihood, be obtained from Mr. Thomas Stewart, but, with regard to those two particular years, I said nothing. One of Mr. Stewart's assistants informed me that gaugings were still being taken there.

8598. You do not know whether the Municipality of Wynberg made these readings for you?—I do not know.

8599. Do you know if Mr. Thomas Stewart has been applied to by your Commission for those readings?—I cannot say. Not by me, certainly.

8600. Then he has not been officially asked for them?—No; not that I am aware of.

8601. Do you not think you ought to complete your records of these readings at Orange Kloof? Ought not some steps to be taken to fill in the gaps in your record?—How can one possibly do so?

8602. If they are obtainable from any individual, should they not be obtained?—Certainly, I think they ought to be.

8603. Are there any other stations where readings are taken which readings you have not got?—Referring to the mountain I believe there are some taken by the Wynberg Municipality which are not furnished to us.

8604. Have you asked the Wynberg Municipality to supply them?—No.

8605. Does the Municipality of Cape Town take any readings which you do not get?—No, we get the readings taken by that Municipality and incorporate them.

8606. Why do you not incorporate the readings of the Wynberg Municipality?—It all depends upon how the gauges are supplied. If a private individual, or a Municipal body, cares to purchase its own gauge we have nothing whatever to do with it. We are willing to supply any suitable places, such as farms, &c., with gauges, where we consider it is advisable that readings of the rainfall should be taken. It may be that we do not supply a gauge in every case where one is asked, perhaps for the reason that there is another gauge in the immediate neighbourhood, but, as a rule, we are willing to supply a gauge provided that copies of the readings are given to us. Where a private individual buys a gauge at his own expense from an outside source we have no control over it in the least.

8607. But still, where a public body is taking gaugings, whether the gauge is supplied by you or not, would it not be advisable to get their readings and incorporate them in your record?—Undoubtedly, but a good deal depends upon the body.

8608. What do you mean by that?—It depends upon the spirit in which they take such an approach. They might think it a bit of undue interference on our part.

8609. Have you ever experienced a want of courtesy when applying to anyone to furnish you with records?—Oh, yes.

8610. From any public body?—No. I never apply to public bodies as a rule.

8611. Have you any records of evaporation?—On the mountain?

8612. Yes.—Copies of these were furnished us for the years 1898, 1899, 1900, and 1901 by Mr. Thomas Stewart.

8613. Can you furnish us with that information?—Yes. I will supply it. I may state that it averages somewhere about 58 inches per annum.

8614. Can you recollect what parts of the mountain these statistics were for?—Exactly alongside the old dam.

8614(a). That is the only station where you can get evaporation statistics?—We also get evaporation results from the Molteno Reservoir.

8615. Will you put them in?—I will. I have them here.

8616. Have you any statistics of humidity?—Yes, they are published annually in the Blue Books.

8617. For what stations?—For the Disa Head Station on the mountain but not for the others.

8618. Have you any observations in regard to the absorption of the soil on the mountain?—None.

8619. In your rainfall figures, have you anything denoting the dry season of the year and the period which it generally covers?—It depends upon what you call a dry period. Many meteorologists have tackled that subject but not one has ever given a definite and satisfactory answer.

8620. I mean the period when we may expect a minimum, or a very small, rainfall?—The only thing that I can say with regard to that is that a small quantity in one place is a large quantity in another place. Take for example Namaqualand: There an annual rainfall of 8 inches is exceptional, but down here it would be considered an abnormally dry year.

Mr. *Charles Stewart.* 20th May, 1902

8621. But I am speaking of the stations where you have given the rainfall?—I worked out the average of every month's record, and from that I calculated the percentage falling in the month.

8622. The percentage of the whole?—Yes; and if you care to call anything less than five per cent. the dry period, it extends through November, December, January, February and March.

8623. In all those five months you get less than 5 per cent. of the rainfall?—Yes, 5 per cent. or less than 5 per cent. of the whole rainfall.

8624. But the monthly average itself would be only about 9 per cent. of the whole rainfall, if you divided the rainfall by twelve?—That would be in a climate like England, but not in our climate. Even in England you have a maximum, but, in a climate corresponding to England, you have a much more uniform distribution of rainfall throughout the year than is the case here. In England you rarely get a percentage of above 44 per cent. in four months, but here within four months you may have anything from 56 to 64 per cent.

8625. Can you examine your records and furnish this Commission with a statement as to which is the longest dry period in any one year at these stations on Table Mountain? Our records are practically buried under a mass of other papers just now, as our Commission are occupying temporary premises. It could be done, but at an enormous amount of labour.

[*Mr. Stewart* subsequently supplied the following additional information.]

8553. Besides the four Raingauges under the Meteorological Commission's control, there are several others from which we receive no returns; the records are taken in connection with the Waterworks, but I am unable to state to whom the Raingauges belong. The positions of several of these are shown in the accompanying rough map of the Mountain top.

8595, 8598, and 8601. On turning up our books I find that in April, 1888, a Raingauge was supplied to Mr. T. Stewart for use at Orange Kloof, and the records published in our Blue-Books were supplied by the Wynberg Municipality. Consequently a letter was addressed to the Clerk to the Wynberg Municipality, on the 22nd inst., asking for the past records of the Orange Kloof Rainguage, if obtainable, and also, if possible, the records taken at the Wynberg Reservoirs; no reply has yet been received.

Robert Owen Wynne Roberts, M.I.C.E., examined.

Mr. *R. O. W. Roberts.*

8626. *Chairman.*] You are at present engaged as Hydraulic Engineer for the Corporation of Cape Town?—As Engineer and Hydraulic Engineer, yes.

8627. How long have you been engaged in Cape Town?—Since November, 1898. The date of my engagement was August, 1898. I took up my duties in the former month. My immediate predecessor was Mr. Cairncross who temporarily succeeded Mr. Olive, who was also Mr. Cairncross' successor.

8628. I presume that the main features of the Cape Town Corporation's Water works were all designed before you took up your duties here?—Yes, the main features were; and the reservoirs were either all constructed or in course of construction.

8629. What was your experience in this work before you came here?—My profession has always been that of a water engineer.

8630. Will you just state generally what was the position when you arrived?—Speaking generally, it was the same as to-day. We had the Woodhead reservoir, the Kloof Nek reservoir, the Molteno reservoir, the Sea Point reservoir and Numbers 1 and 2 reservoirs. Taken as a whole that represents the position we are in to-day and is the same as was the case 4 years ago, though at the present moment there is an additional reservoir in course of construction. There are the distributing mains throughout the city, and we have a salt water supply system. That generally represents the position.

8631. Your chief sources of water supply are the storage reservoirs on the mountain, are they not?—Yes; and the springs.

8632. But you depend more upon the reservoirs than the springs?—Certainly we do.

8633. What is Cape Town's water storage capacity at the present time?—The Table Mountain reservoir will hold 225,000,000 gallons. I may state that just before the dry season sets in there is a wooden weir placed in the reservoir to raise the water a foot higher than it usually is allowed to rise, which increases the capacity of the reservoir to 237,000,000 gallons. In addition, there is the Mocke reservoir which holds 200,000 gallons, the Sea Point reservoir with a capacity of 100,000 gallons, the

Molteno reservoir which holds 40,000,000 gallons, and the numbers 1 and 2 reservoirs which are capable of accommodating, practically, 15,000,000 gallons, making a total storage capacity of 280,000,000 gallons. That is the total capacity of the reservoirs, but it does not represent the amount of water which we can draw. I may add that there is a reservoir in construction which is estimated will hold an extra 200,000,000 gallons.

8634. What is the yield from the springs?—I suppose you refer to the dry season. We can get abundant water in the winter time. The valuable feature of the supply from the springs is the quantity which we can obtain from them in the dry season, and that we estimate at from 500,000 to 550,000 gallons per day for a period of six months. I have selected the driest months for the past five years. In one year I took six months, in another year seven months, and in another year eight months, and the average worked out at approximately 500,000 gallons per day.

8635. Is that water stored anywhere?—Yes, it is stored. Every gallon is stored, and is available. In the winter time, when all the reservoirs are overflowing, we do not attempt to store all the water.

8636. Have you any statement to make as to the amount which you can store for each head of population?—That is rather an ambiguous question at the moment, but we estimate that for this present year of 1902 our storage capacity represents 3,590 gallons per head of the population.

8637. What are your population figures based upon?—Figures which are obtained from the Census Department, where I was informed that the population might be estimated at 80,000 for Cape Town and Sea Point.

8638. Have you any statement as to the length of the period during which that population would have to depend upon your storage capabilities? Can you say how many months?—I have gone into that also. I have got figures from the Meteorological Department, and I have examined the Town House figures, and I have come to the conclusion that we really have to depend upon storage for six to seven months in each year.

8639. How much water per capita per diem does that give?—You can take 280,000,000 gallons and divide it by 80,000, and divide the result by the number of days of the dry season. There are also many other factors to be taken into consideration. You have to consider amongst other things what is the consumption. There is consumption for various purposes.

8640. But you stated that you had a storage of 3,590 gallons per head, and you reckon the dry period at six or seven months, say 180 or 220 days; what under those conditions is the amount per capita per diem for, say, seven months, or 220 days?—It equals about 16 gallons per head.

8641. Consider the reservoir now under construction as finished, giving you an additional 200,000,000 gallons, and continuing to reckon the population at 80,000, what would be the increased storage available per capita?—Are you prepared to accept the population at 80,000 at the time the new reservoir is finished; the population is increasing very rapidly?

8642. We will, for the sake of the argument, accept the same basis of population?—About 27 gallons.

8643. I daresay you will agree that in 20 years your population will have considerably increased?—Yes. It will be very considerably increased in much less than 20 years.

8644. The point I want to get at is how far the works at present, either completed or in course of construction, are likely to supply the population, allowing for the normal rate of increase. In other words to what extent in your opinion do the works at present completed and under construction provide for the future wants of the population of the city of Cape Town?—I am afraid the time is very close at hand when we must take some steps to augment the supply. I may tell you that in the period from 1894 up to the 30th April of this year the domestic consumption has increased 74 per cent, whilst for trade purposes, which means the Docks and, generally, the trade in the town, the increase has been 402 per cent. Taking the general daily consumption—that is pooling the lot—the increase is 104 per cent. Therefore to estimate the requirements for another 5 years is impossible except that you can only surmise. I may tell you that I have had statements of probable increase from Mr. Hammersley-Heenan of the Docks, and we know what Mr. Price of the Railway Department requires, so that everything points to the fact that long before 5 years are over our heads we would have to stop supplying the Railway Department unless we get a very much augmented source of supply.

8645. Even leaving the suburbs out of the question altogether, you consider it is necessary to find some other sources for Cape Town?—I do.

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8646. Do you think that the possibilities of Table Mountain as a source of supply have been exhausted or will be exhausted when the new reservoir is in working order?—I am not in possession of the full statistics in reference to Table Mountain. Mr. Stewart has them, but, judging from the rainfall and the area of catchment, I do not think that you can depend upon Table Mountain for a very much larger supply. I think it would be folly to lay ourselves out for further small works on Table Mountain when we will be in need of so very much larger supplies. It is useless going in for small schemes when all the possibilities point to something very much larger being essential to the welfare of the community.

8647. Under present circumstances, you consider that you will have to depend upon, at the outside, 500,000,000 gallons to carry you over a 6 or 7 months' drought, say, in two years from now, when you will have also a larger population?—Yes, that, together with the springs, which will yield us about half a million gallons per day.

8648. In your time has the storage of water in the reservoirs varied much from one year to another?—We commence to store at the commencement of the dry season—at the end of September or the middle of October—and we then see that our reservoirs are filled to overflowing. Every gallon we can conserve is stored.

8649. Has it never been so dry that you have not been able to fill your reservoirs?—No, so far as my knowledge goes. The rainfall has been ample to fill them all.

8650. But in some years there has been a longer drought than others?—That is so.

8651. So that in some years there has been a greater drain upon your works than in other years?—That is the case.

8652. Have you any record of the actual consumption per head of the population in Cape Town?—We have no record of actual consumption. We are now beginning to fix meters to get at the total quantity consumed, but, so far as one can judge, the amount supposed to be consumed is a very close approximation to the actual consumption. I mean, taking the average of consumption for domestic and other purposes, the amount consumed is represented by what is paid for on the dribble system. The actual consumption for all purposes is represented by 28 to 29 gallons per day.

8653. *Dr. Anderson.*] On what population is that based?—80,000. We cannot differentiate between Cape Town and Sea Point.

8654. *Chairman.*] Have you found from practical experience that the introduction and general use of water-closets has largely increased the requirements of water for domestic purposes?—Naturally it has increased the requirements. In connection with that matter, however, one has to arrive at it by deduction. There is no means of ascertaining it except by taking the consumption in different years and the population. I estimate that the increased consumption per head as represented by water for w.c.'s and other sanitary purposes is about 6 gallons per day. A certain portion of that may be accounted for in the extended use of baths, but, generally speaking, 6 gallons per head per day is the difference between the domestic consumption of to-day and that of some few years ago.

8655. Which means, I presume, that, meters or no meters, the more facilities that people get for obtaining water the more they use it?—Yes, and if one can give it there is no reason why they should not have it, but if they had it by meter they would economise in a good many cases.

8656. The waterworks, I believe, are so placed that you can supply every house in the city so far as level is concerned?—Yes, every available house in Cape Town with perhaps one or two exceptions.

8657. Have you any estimate of the cost to the Corporation of the daily supply of water per head?—No, I have not got the financial statistics. The Treasurer's Department can give that better than I.

8658. Does the Corporation charge for meter rent?—Yes. They charge 6s. per quarter for a half inch supply, 8s. per quarter for a three-quarter inch and 10s. per quarter for a one inch. Larger sizes are charged proportionately.

8659. Is your experience sufficient to enable you to say whether there is any economy in the adoption of the meter system?—I consider that there is. I have strongly advised the adoption of meters wherever possible.

8660. Does it lead to a smaller consumption of water?—It checks waste. If you give a full supply without any check, a large proportion goes to waste; whereas if you use a meter people know that all the water that goes through the meter is charged for, and they do not waste it. By other means there is no check whatever, except employing inspectors and prosecuting, which is not a pleasant task.

8661. Is it in the belief that the meter checks consumption that you force people to take meters?—We do not force people to take meters. It is not compulsory.

8662. To what extent are meters used in Cape Town?—To a very small extent. There are only 130 meters in use at the present time, but they are being more generally adopted.

8663. When you are making your estimate as to the disposal of the 480,000,000 gallons of water which you will have in a few years, over what area do you propose to distribute it?—I have considered the distribution from two or three points of view. I have taken the domestic supply separately, and I have taken it in conjunction with the general trade and the Docks, and I have taken all three with the Railway. We would supply the Railway if it was possible to do so, and also the outside districts, by which I refer to Camp's Bay and part of Woodstock.

8664. Is the charge to the people in these outside areas the same as to those of Cape Town?—Yes, with the exception of that part of Woodstock which we supply.

8665. What is the difference between the two charges?—Woodstock is supplied by meter at a charge of 1s. 6d. per 1,000 gallons.

8666. Is that water supplied in bulk and distributed by the Woodstock Municipality?—Yes.

8667. What is the charge in Cape Town for water by meter?—The same.

8668. Does the Corporation charge itself for the water used upon the streets?—Salt water is used for watering the streets.

8669. For water used in drinking fountains?—No, the quantity is so small that we do not take the trouble to estimate it.

8670. Does the Council debit itself yearly with charges for fresh water?—Yes, it is in the annual estimate.

8671. Is it a mere nominal sum?—No; it represents the value of the water consumed. The Water Works Department, like any other Department, see that they are paid for all the fresh water used. There are meters, and the amount and its cost are passed through the books in the ordinary way.

8672. Have you any knowledge of the amount which has been spent on the Cape Town Water Works?—I have not gone into the financial question at all.

8673. Have you any statement with reference to the comparative cost of water to the citizens of Cape Town and citizens elsewhere?—As soon as I was informed that that question would be put to me I went into the matter and communicated with different Municipalities and bodies and obtained certain information. I have not been able to obtain any information from Kimberley, and I only got the information from Port Elizabeth this morning. I may say, at once, that it is almost impossible to compare city with city in this matter. The basis upon which charges are made varies considerably. In one town which I know they charge a certain amount upon the rack rent. Another town charges on rateable value, which may be ten, twenty or thirty per cent. of the annual value. Then again the valuations of properties differ so enormously. A certain house may be valued at a certain sum and the house next door, apparently similar in all respects, may be valued at a different sum. Even in this country alone the basis of charging for water is a varying quantity. In Cape Town we charge a certain amount on the dribble system. For 100 gallons per day we charge £2 5s. per annum with a 5s. rebate. That is the way the charge is made at Simonstown and also by the Suburban Water Works Board, but when we come to Wynberg you find a difference. They charge 10s. per quarter for a property under £200, and 1s. 6d. additional for every £100 over £200. When we come to Durban the charge is ½d. in the £, on rateable value for property situated 220 yards from the water main. For that they are at liberty to draw water to an amount reckoned at 1s. 6d. per 1,000 gallons, but recently reduced to 1s. In Bloemfontein the payment is 10s. per month for a property valued at £500, and 1s. per month for every £100 over that. In Pietermaritzburg the charge is ¼d. in the £ on freehold value. In Melbourne the charge is 10s. on a property of £20 annual value. Therefore you see that there are annual values, rateable values, assessment values, freehold values, and nett annual values all to consider. They vary so enormously that it is almost impossible to make any comparison. In London the charges vary from three to four and five per cent. on the rateable value. The Chelsea Waterworks charge three and four per cent.; the East London Waterworks charge five per cent. The Grand Junction Company say that the charge is on the rateable value; and the same applies to the Kent Water Company. The Lambeth and New River Companies do not divulge their charges. The Southwark Water Company charge five per cent. on the rateable value, and what the amount is by that we cannot judge here. Coming back to Cape Town, for the sake of comparison, I have estimated that a property valued at £1,500 will require a water supply of 200 gallons per day, which, at £2 per 100 gallons, gives £4 per annum. The Suburban Waterworks Board charge £5; Wynberg's charge would be £1 3s. per quarter, which is £4 12s. per year; Durban's charge would be £3 2s. 6d.; Bloemfontein's charge would be £1 per month or £12 per annum; Simonstown's charge would be £4 12s.; Pietermaritzburg's, £1 11s. 3d.; and Melbourne's, £3. The London charges, taken at five per

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cent., would be about £6, with extras for w.c.'s and high level pressure; Glasgow, £2 10s.; Liverpool, £3 15s.; Manchester, £4; Southampton, £6; Paris, £4 7s; and Johannesburg, at the rate which was stated at the Johannesburg Commission, would be £36, but that I feel sure is wrong. I think from all these figures Cape Town stands in a very favourable position.

8674. Do you not find that the man in the street complains of the enormous amount of money spent on waterworks in Cape Town?—That is the cry everywhere.

8675. But from your figures it does not appear that he is charged more than elsewhere?—I consider that Cape Town is in a very favourable position. If we take a house valued at £500 for another comparison, we find that Cape Town's charges are £2; the Suburban Waterworks Board's charge is £2 10s.; Wynberg's charges, £2 12s.; Durban's, £1 0s. 10d.; Bloemfontein's, £5; Simonstown's, £2 12s.; Pietermaritzburg's, 10s. 5d.—and I must say that I cannot believe that supplying water at that price can possibly pay the Town Council; Melbourne's, 18s.; London's, £1 16s.; Glasgow's, 15s.; Liverpool's, £2; Manchester, £1 4s.; Paris, £2 3s. 4d.; and Johannesburg's, £18. There again you will see that we occupy a central position in the table. For trade purposes it will also be found that our charges are fairly moderate. Port Elizabeth charges 5s. per 1,000 gallons; Cape Town, 1s. 6d.; Wynberg, 1s. 3d.; Simonstown, 1s. 3d.; Pietermaritzburg, 1s. 6d.; East London, 3s. 3d.; Bloemfontein, 5s. We come next to the prices for water to places outside the Municipality: Cape Town charges 1s. 6d.; Durban, 3s.; Bloemfontein, 6s.; the Suburban Water Works, 2s.; and Simonstown 1s. 7d. The charges to shipping are 10s. at Cape Town for every 1,000 gallons; at Port Elizabeth, 5s.; at East London 10s.; and at Melbourne 3s.

8676. There you do not seem to come out so well; Port Elizabeth only charges 5s. per 1,000 gallons?—But the charge at East London is 10s. 0d. I might also say that our charges for building purposes and for all other purposes are fairly moderate.

8677. I suppose that when you came here the Woodhead Tunnel was in working order?—Yes.

8678. Does a large quanity of water come through?—Yes, through the pipes in the tunnel.

8679. Can you give us the quantity that comes down the tunnel per annum?—The figures are regularly given. For the last year, ending June 30th, 1901, the quantity which came down from Table Mountain for all purposes was 608,506,312 gallons.

8680. That represents the quantity of water supplied to Cape Town from your collecting area on Table Mountain?—Yes.

8681. Can you give us a statement as to the size of the collecting area on Table Mountain?—Yes, I believe it is about 667 acres, but I would not care to speak positively. Mr. Stewart would be better able to inform you on that point.

8682. You do not now store all the water falling on that collecting area?—No; that is the reason why we are having a second reservoir built on the mountain.

8683. There is no possibility of increasing your collecting area on the top of Table Mountain?—I do not think so. We might conserve small quantities, but what would be the good of doing that when we want about ten times the amount that we could get by that means.

8684. You then are quite clear upon the point that if the Commission wish to recommend sources of supply really worth taking into account for Cape Town, we shall have to go further afield?—There is no doubt about that.

8685. Do you know of any other source?—I know of no source that I can speak of officially.

8686. You have not examined any?—I have been to a number of sources for one purpose and another.

8687. Have you made any observations as to the amount of run off from the collecting areas on Table Mountain; I mean the proportion of run off to rainfall?—Mr. Stewart is in a position to give you that information.

8688. Have you any figures to shew the proportion that runs to waste?—Mr. Stewart has all those figures, but I do not think there can be much on Table Mountain, because the water runs straight into the reservoir. It is not like a place where the watershed runs into a brook, and then gravitates into a reservoir a long distance away. It seems to me that the only way to do it on Table Mountain would be to note carefully the rise and fall of the reservoir and the quantity that runs to waste at the overflow.

8689. *Dr. Gregory.*] You are the Hydraulic Engineer, and Mr. Stewart is the Consulting Engineer?—Yes.

8690. Is there not a large amount of most necessary information in connection with the water supply that you are not in possession of, and which you should be in possession of?—That is my opinion.

8691. It would appear to me somewhat difficult for you to carry out your duties properly, and get a proper grip of the work without a good deal of this information which has been asked for by the Commission?—One has to rely, so far as Table Mountain is concerned, upon Mr. Stewart's figures and reports, but I think it is essential that the whole of the information, which should be public property, should be in my possession.

8692. It is in the possession of Mr. Stewart, but really it belongs to the Municipality?—I take it that is so.

8693. Have you ever made application for that information?—I have made application for some information, but I did not get more than I asked for.

8694. Do you always get what you ask for?—Yes.

8695. But still it should not be necessary for you to ask for anything of that description; it should be always available?—I think so.

8696. Is it not available in all English schemes; as soon as the local authority has carried out any large schemes, are not the data available?—Yes, in most cases, but it depends, of course, upon the engineer.

8697. Have you any knowledge of the amount which it was estimated these reservoirs would yield?—No, I have not, but to the best of my knowledge Mr. Stewart was not the engineer who commenced the construction of the reservoir. He took over the work after the Council had practically decided to go on with their schemes, but then it was a very much smaller affair. I do not know whether, when he took over, he had reported upon the capabilities of the watershed.

8698. So that you do not know how far anticipation has been fulfilled in the matter of the Table Mountain reservoir?—No.

8699. You say that the Woodhead reservoir stores 225,000,000 gallons of water, and practically has to store that amount for six or seven months during the dry season?—We store 225,000,000 gallons in the reservoir at the commencement of the dry season, and it diminishes very rapidly.

8700. Have you any knowledge of what the loss is by evaporation?—We know the evaporation at the Molteno reservoir.

8701. But I am referring to the Woodhead reservoir?—I think it will be proportionately less than at the Molteno reservoir, but Mr. Stewart, again, will have those figures.

8702. Can you give us the figures relating to the Molteno reservoir evaporation?—Yes, I can give you the annual returns from 1894 to 1901. In 1894, 61·45 inches were evaporated; in 1895, 53·79; 1896, 57·21; 1897, 55·70; 1898, 57·34; 1899, 61·21; 1900, 57·85, and 1901, 57·43.

8703. What proportion of the capacity of the reservoir does that mean?—It means practically 5 feet out of a total depth of 39 feet 6 inches.

8704. Then you do not know the loss by evaporation at the Woodhead reservoir?—No; I do not know even whether it is kept or not.

8705. Is it not important that it should be kept?—Certainly.

8706. An evaporation of 5 feet from the Woodhead reservoir would mean a very large number of gallons, I presume?—It means, roughly speaking, 6,000,000 at the Molteno reservoir. The Woodhead reservoir is a totally different thing. It would not be fair to take 5 feet from the top of the Woodhead reservoir as the basis of loss. As that reservoir is depleted its capacity does not diminish according to the ratio of the depth. The surface of exposure diminishes rapidly in the Woodhead reservoir.

8707. But the area for evaporation would diminish equally?—It would decrease in proportion to the depth.

8708. What is the smallest height of water you have gone to at the Woodhead reservoir?—Sixty or seventy feet.

8709. And what is the greatest height the water has reached there?—122 feet.

8710. Well, let us take the height of water at a mean, say, of 90 feet in the reservoir; what would the loss of five feet from that mean height in gallons?—Taking it very roughly, I should estimate that a loss of five feet of that height would mean a reduction of something like 15,000,000 gallons.

8711. *Chairman.*] Do you think that we might take that as the loss by evaporation there?—Roughly speaking, I think you might, but if you want correct figures I daresay I could get them for you.

8712. *Dr. Gregory.*] Then your storage capacity of 225,000,000 gallons might be reduced by the loss of 10,000,000 or 15,000,000 gallons?—Yes.

8713. But you who are the engineer in charge of the water supply of the Municipality have not sufficient data at your disposal to calculate it out?—No.

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8714. Where you are run so close to your storage capacity in the reservoirs during the dry season, a matter of 10,000,000 or 15,000,000 gallons is a very considerable difference, is it not?—A very considerable difference.

8715. Did I understand you to say that you were unable to give us a statement of the cost of the two reservoirs?—The existing reservoir cost £147,000.

8716. And what is to be the cost of the one under construction?—It was estimated to cost £120,000, but it will cost a good deal more.

8717. What was the Woodhead reservoir estimated to cost?—In its present state I cannot tell what the estimate was. The original scheme was for £50,000, but that was for a dam 70 feet high with a storage capacity of 39,000,000 gallons. They, however, decided to go a little higher to get a storage capacity of 90,000,000; then a little higher to get a storage capacity of 110,000,000; and finally they decided upon the reservoir as it at present stands. They considered various schemes and the holding capacities at each height. Estimates of the cost were prepared for each successive scheme, I believe, but I cannot state what those estimates were.

8718. You say that there will be a considerable increase of cost over estimate for the additional reservoir now being constructed?—Yes.

8719. What is that due to?—Various reasons. Cost of labour, cost of material and contingencies.

8720. What do you call contingencies?—They occur in every engineering work. They are unforeseen, and cannot be provided for.

8721. What would be the extent of the increased cost, speaking approximately?—I really cannot tell; Mr. Stewart is the only one who can give you information upon that point.

8722. Surely you should be in a position to give some information, if only approximate information, on a matter of that description?—I could not say that, seeing that they are works in course of construction. If they were practically completed I should say "Yes," but as they are in course of completion I should say it should be left to the Consulting Engineer. There should not be too many cooks at work upon the broth.

8723. There have been statements made alleging that the Woodhead reservoir leaks more or less. Are there any grounds for these popular opinions?—Not to my knowledge. The reservoir is practically sound, and does not lose water except that which is drawn from it.

8724. What test do you apply for that?—The best test is to take the water coming down from the reservoir and subtract it from the amount still left in the reservoir with a percentage for loss by evaporation and percolation, which you cannot get rid of in any reservoir, and we find that that represents the water sent down to town.

8725. So that in your opinion such remarks are quite without foundation?—Quite.

8726. You say that you reckon the population of Cape Town and Sea Point at 80,000?—Yes, and I have grounds for believing that is the population.

8727. Is it not already considerably over that number?—I do not profess to be able to speak with authority whether it is or is not; but all I can say is, that I thought I would satisfy the Commission by going to the Census Department and I did so.

8728. But are not the Census Department's figures based on the proportionate increase taking place between the two last censuses?—I do not know how they arrive at their figures.

8729. But as City Engineer, does it appear to you that 80,000 is likely to represent a correct estimate of the population of Cape Town and Sea Point?—Six months ago a similar question was put to me as to what was the population of the area supplied with water by Cape Town. The information was required in connection with the Johannesburg Commission. With no data before me except my own judgment, and what I could gather from such figures as I could pick up, I estimated the population at 80,000. When I went to the Census Department a fortnight ago and applied to them for an estimate, I was pleased to note that they bore me out. I must say that mine was a pure estimate and I had no guarantee that it was correct.

8730. You stated that the average amount of water supplied per head was 28·9 gallons?—Yes.

8731. That is the average daily amount throughout the year?—Yes; I would not attempt to give anything more detailed in that connection without a formidable enquiry into the figures. For the purposes of this Commission I have endeavoured to supply data as recent as possible.

8732. On what data was this estimate of consumption based?—Data obtained within the last few months.

8733. But during the dry season the consumption cannot be more than 16 gallons per head, because you have not got it to give?—I think we are arguing from different

figures at present on this 16 gallons question. You are arguing a seven months' storage, but we have not got a seven months' storage at present. Before I speak more particularly on this matter I would like to go more carefully into the figures.

8734. Would you mind giving us the average daily consumption taken throughout the year when you correct your evidence?—Yes, I will do so.

8735. As well as the average daily consumption during the dry season?—Yes, I will endeavour to do so.

8736. You can also give us the minimum daily supply per head which you have supplied?—In what period?

8737. Not the average, but the minimum during the past 18 months?—Yes; I think that can be found in my annual report, at least approximately. It is almost impossible to give exact figures, because we have not got the appliances for arriving at them. At present what we principally do is to turn on the water, and the people's taps are gauged to run the quantity of gallons for which they have paid.

8738. Don't you know what is flowing through your mains each day?—We shall be able to tell now. We could not tell before. The drawback in the past was that we had to rely on long periods—a fortnight, a month, six months or even twelve months periods. We did not get the average daily.

8739. You will be able to do so in future?—Yes.

8740. I want to see how far your supply is at present inadequate?—Yes; during the drought I wanted to keep my eye on the actual consumption, and I took a way of arriving at it. I took certain measurements where I have just recently installed the meters. I had to take a daily gauging, but it was only an approximation. I could not get a reliable figure, but it gave a sufficient guide in connection with the drought.

8741. When is this new reservoir likely to be completed?—I am sorry to say I am no prophet, but I think in about 18 months.

8742. So that, even with the increased storage capacity that this new reservoir will give to you when completed in 18 months' time, your Municipality will still be in a dangerous position as regards water supply during a prolonged drought?—I would not say a dangerous position. I do not think you have chosen the proper adjective.

8743. Well at anyrate you might be in an unsatisfactory position in the face of a long drought?—I will put it in this form: the Council must look out for fresh supplies without delay.

8744. What is the longest period in your opinion that the town could wait without getting a fresh supply?—The town cannot wait; we must go in for it now.

8745. I mean for a fresh supply to be completed?—It all depends. It is impossible to give any criterion to work upon. If the domestic consumption increases and the trade consumption, and the consumption at the Docks increases in the future in the same ratio as it has done in the past, we shall have exceeded our supply in two years' time.

8746. Then you consider that in two years' time you ought to have a new scheme in working order?—Yes, in two or three years' time, accepting these increases as what will probably happen.

8747. Any new scheme will take a considerable number of years to complete, will it not?—It depends upon how long this Commission is going to sit for a start.

8748. But the construction of the scheme itself would take some time?—Yes, of a scheme of any magnitude, say 10,000,000 gallons per day. Such a scheme as that could not be carried out under five years.

8749. So that if the requirements for water are to go on increasing as they have been in the last year or two, the Municipality is likely to be in a difficult position before another suitable scheme can be completed?—Yes, I think I may accept that

8750. And therefore, if an auxiliary supply can be obtained of 2,000,000 or 3,000,000 gallons per day from Table Mountain or in the Peninsula it should be secured at once?—What! 2,000,000 or 3,000,000 gallons per day?

8751. Yes.—From the mountain?

8752. Yes.—To supplement the present water supply of Cape Town?

8753. Yes.—A scheme to raise 2,000,000 or 3,000,000 gallons per day in addition to the present supply from Table Mountain, when we have completed the two reservoirs on the top of the mountain, is not there to be got.

8754. *Chairman.*] When was the foundation stone of the Woodhead reservoir laid?—On the 29th March, 1900; but at that time excavations had been made and a considerable amount of work had been done. The Woodhead reservoir was commenced in 1893 and completed in 1897.

8755. *Dr. Gregory.*] Is not that rather a slow rate of progress?—I am not in a position to judge.

8756. But I mean as compared with similar works in England?—That is not a fair comparison; but even if you take Birmingham or Liverpool, or any works of con-

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siderable magnitude, no engineer can lay down a time within which they will be finished. The Birmingham Waterworks have taken a considerable period over the time they were expected to take. The Liverpool scheme also occupied a long time above that which was estimated, and the estimated cost was exceeded very largely. Even engineers of the very highest reputation in England have been considerably out in their estimates.

8757. But the cases you have mentioned have been works costing millions of money?—That is so.

8758. Whereas the Woodhead Reservoir and the reservoir now under construction have only cost hundreds of thousands?—But the difficulties here have been incomparably greater. There they have railways running right on the top of their highest dam, labour is plentiful, and good and cheap, but you cannot get it here. You must depend upon circumstances.

8759. In any future water scheme would you as an engineer be inclined to recommend one general scheme for the whole Peninsula?—I would, but I would not mean by that down as far as Simonstown.

8760. You would at any rate include Wynberg or Kalk Bay?—Yes. The advantage from one huge scheme would be very great, but a suitable place is yet to be found.

8761. Are you aware if there is any scheme likely to supply sufficient water for such a purpose?—My present knowledge is not sufficient guide for me to speak upon the point. I have inspected some of the schemes.

8762. Would the information you have got be of any service to the Commission if the Town Council permitted it to be put in?—I am not in a position to give, even the Town Council, any information until I have gone into it more carefully. I have given a slight outline but it is not reliable. I have arranged for some data, but owing to enquiries on behalf of this Commission I have been delayed in the matter.

8763. A large scheme such as you suggest would, apart from the economy in the engineering, be also more economical in the general working after it was once established. There would only be one water engineer and one water staff?—Yes; but it would not be cheaper to form another body. It would only be adding to the expense. If you had a Water Board, which is so much talked about, it would be a further burden on the ratepayers without representing any particular advantage. If a simple amalgamation of existing boards, without the creation of a new body, could be brought about it would be an advantage, but it would be no advantage to have another distinct authority.

8764. How would the larger authority increase the expenditure?—By duplicating the staff and everything.

8765. But the water staff is distinct from the other staffs in Cape Town, is it not?—Yes, and would remain distinct. The Water Board means that you have a Water Board for supplying the water in bulk, which the Municipalities concerned would have to distribute.

8766. No; what is suggested is that the Water Board would distribute the water and do everything from first to last?—I do not see how that could be done. A Water Board could not do it. First of all there would be the absorption of the schemes which have been already laid out, where the ratepayers have accepted the liability and the expenditure, and you are going to put them under a Water Board. It would be grossly unfair to take the freehold rights of the ratepayers and put them in the hands of another body. Water Boards have not been found of any great advantage in the old country. The practice in the old country is for a leading city to take the work in hand, and supply the towns which lie between the source and itself. Take Liverpool, for instance: by its huge scheme it supplies or can supply every Municipality on the road of its pipes. The water can be given to them at little or no expense. The Liverpool Corporation have laid down a main of practically 90 miles in length, and supply, I believe, 32 towns and villages on the route of the pipe, in addition to the large adjoining Corporation of Bootle. If there had been any great advantage in the formation of Water Boards it would have been done at Home long ago. The only purpose they could serve would be in the way of settling jealousies where a good work was hindered by one body being afraid of another getting more than its share. Where, however, there is a large city capable of undertaking a large scheme, and of financing it and seeing it through, as has been already proved we are able to do, it is better left in the hands of such a body. A large comprehensive scheme to supply the wants of the whole Peninsula might be left to such a body as our Council in the same way as large schemes at Home are left to the large Councils there. Glasgow is another instance. A large number of towns and villages receive their supplies from its mains. There is no talk of a Water Board there. Glasgow is the premier city, and the smaller places round about have decided that Glasgow should see the thing through.

8767. Then you think Cape Town should carry this water scheme through?—Yes, I see no reason why it should not. It has the staff and every facility for doing the work, which not a single Municipality in the Peninsula possesses. Mr. *R. O. W. Roberts.* 20th May, 1902.

8768. But who would have to raise the money in such a case and be responsible for the work?—The Corporation of Cape Town.

8769. Then Cape Town would have to carry out this scheme at its own expense and would sell the water to the other Municipalities in the Peninsula?—That is, to me, obviously the most reasonable way of doing the work. Of course you could not tolerate competitive Water Companies within that area as well.

8770. Then you would give Cape Town the power to wipe out all the other schemes in the Peninsula?—To absorb them.

8771. Then Cape Town would be absorbing schemes of waterworks within the areas of other Municipalities?—I do not say that it is necessary to go right down to Kalk Bay, but within the area prescribed.

8772. Do you not think that the other Municipalities would demur to—that Woodstock, for instance?—Not if one could point out to them that it was to their advantage.

8773. But would they not want some voice in the management?—What voice could they want? It would be a mere commercial transaction. If a person buys a pound of sugar he does not want any voice in the management of the grocery business.

8774. But Woodstock and other places have their own schemes, in which they take considerable interest, and they might not be willing to allow them to be absorbed in the scheme of another Municipality?—A mere casual discussion here does not bring us much further as to what a large scheme for the advantage of the whole Peninsula might consist of; and as to the other schemes which have been spoken about, they might be suitable or they might not.

WEDNESDAY, 21st MAY, 1902.

Present:

Hon. Sir Bisset Berry (*Chairman*).

Dr. A. J. Gregory.	Mr. W. E. Gurney.
Dr. A. J. Anderson.	Mr. J. E. R. de Villiers.

Messrs. Edwin John Earp (Mayor of Rondebosch), *John Andrews* (Town Councillor of Rondebosch), and *William Alexander Batchelor* (Town Clerk of Rondebosch) further examined. [*Mr. Earp* answered all the questions from this stage.]

8775. *Chairman.*] At your last examination, Mr. Earp, I think you had arrived at the point of stating that your Municipality was prepared to take over the management and maintenance of the main roads passing through your Municipality, and in addition to that your Council, you stated, was prepared to make a contribution towards the upkeep of the roads outside Municipal areas?—Yes; we would take over not only main roads but all divisional roads within our Municipal area. I have no definite resolution from the Council to that effect, but I take it that that would be their view on this matter. Messrs. *E. J. Earp, John Andrews* and *W. A. Batchelor.* 21st May, 1902.

8776. And consequent upon that, I suppose your Municipal Council would be of opinion that the Divisional Council should cease to rate property within your Municipal area?—Certainly.

8777. And consequent upon that also, your Municipality would require additional rating powers, in order to get such part of the revenue at present flowing into the coffers of the Divisional Council diverted into the Municipal exchequer as would be necessary in view of the additional responsibilities?—Of course we would require that revenue for the maintenance of the roads which we take over from the Divisional Council, and which are at present kept in proper repair by them.

8778. Do you think you could maintain the roads as economically as the Divisional Council maintains them?—I should say quite as economically.

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8779. In the event of the proposed arrangement going through, do your Council think it necessary that they should be represented?—I don't quite understand. Do you mean represented on the Divisional Council?

8780. Yes. You remember that one of the resolutions adopted at the Conference was to the effect that, if the Municipalities should agree to the arrangement which has already been rehearsed, such Municipalities should be represented by their nominee on the Divisional Council?—Yes, that seems a very reasonable proposition.

8781. The question was as between nomination by the Municipal Council and election by the ratepayers direct?—Yes.

8782. And the Conference seemed to approve rather of the method of delegation by the Municipal Councils?—Yes; I was not present at the time, but I fancy that would meet the case; that is to say, by a representative of the Council being chosen as a delegate to serve on the Board of which you spoke.

8783. On the subject of lighting, Mr. Earp: you have at present an arrangement with the Cape Peninsula Electric Lighting Company?—Yes, we are supplied by them with light under an arrangement.

8784. I understand however that at present negotiations are being carried on by the Council with reference to a further agreement?—That is so.

8785. You want some change?—Yes, we have a meeting to-night of representatives of the various Councils to discuss the matter.

8786. Do the Councils think that they should obtain a more favourable settlement of terms from the Company?—Yes, that is generally the view. I think they also incline to the view that ultimately the electric lighting works should be the property of the Councils. That is my view.

8787. The franchise of the Company is just about to expire at the present time?—Yes, in some cases. I have not got the particulars of the various contracts; they do not all expire at the same time, but are for various periods.

8788. But the Municipalities are not at the present moment contemplating to take over the Company's plant and works?—That is a matter for discussion at this evening's meeting of the representatives of the various Councils. They wish to go into the matter in order to see whether it is practicable for the Councils to take over the works or not. That subject is at present being discussed.

8789. Then perhaps we had better not examine further on the subject now. We may perhaps get further evidence at a later stage?—Yes, that would be better.

8790. Did you happen to see the evidence given by Mr. Clark, the Government Electrician?—No, I have not seen it.

8791. The evidence given by Mr. Clark is so far open to the inspection of any of the Municipalities; they must be interested in certain of the points upon which he gave his evidence. Mr. Clark's evidence seems to indicate that perhaps the change from Company supply to Municipal supply would not be, at the present time, altogether so advantageous, but that is a matter that you are going to discuss now?—Yes; I should like to peruse Mr. Clark's evidence if I could get a copy.

8792. The points dealt with by Mr. Clark were fairly well brought out in the newspapers' report; did you happen to see that?—I might have glanced at it, but I did not read it carefully.

8793. I hand you a copy of Mr. Clark's evidence which must be treated by you as semi-confidential and returned to us?—Thank you; I shall be glad to have an opportunity of perusing the evidence, and I will see that it is returned to the Commission.

8794. We now pass on to the next subject—wash-houses and miscellaneous works. Have you any wash-houses in Rondebosch?—Yes.

8795. Were they erected by the Municipality, and are they maintained by the Municipality?—Yes.

8796. Are they very well patronised?—Very well indeed; they have proved a great boon to the Municipality and to the people.

8797. I understand that you had to purchase the ground on which you erected them?—Quite so.

8798. And you have taken the water there by pipe?—Yes.

8799. And the charge made includes the water supply?—Yes, a charge of three pence a day is made.

8800. Do you permit washing to be done on private premises?—Not where it would cause any flow into the Municipal roads, or where it is likely to create a nuisance.

8801. It may be done to some extent, but no one is allowed to empty wash-water into the public gutters?—Quite so.

8802. When the washing is done on private property do you undertake to remove the water?—We would remove a reasonable quantity of water, but if washing were

done on private property to any very large extent we could not undertake to remove the quantity of water which would be required for that purpose.

8803. Have people ever been prosecuted in your Municipality for inattention or neglect in that respect?—Yes, they have.

8804. Where does the waste water from the wash-houses flow to?—To adjoining land; we have now a thriving plantation there of young trees and we are planting some more.

8805. So that it is no source of danger to the public health?—No; the wash-houses are extremely useful where they are now, and the waste water is utilised in the plantation.

8806. Are there any other public works of any magnitude in Rondebosch?—We have the following works: One Tannery, two Aerated water factories, Match factory, Flour mill, and then there is a slaughter-house, but I don't know that that could be reckoned as a work of any magnitude.

8807. Where does the refuse of the tannery go to?—The liquid is conveyed by pipes to land on the bounds of the Municipal area.

8808. Is it carried in the same direction as the wash-house waste?—About a mile from there.

8809. And it has not been found to be a nuisance to the neighbourhood at all?—Not generally; complaints have been made occasionally, but the tannery can sarcely be regarded as having caused a nuisance.

8810. Is tanning a very large industry there?—Yes, fairly large—they employ about 150 hands.

8811. But I suppose it is under Municipal surveillance?—Oh, yes; it is inspected from time to time.

8812. There is no slaughtering of animals out there?—None whatever.

8813. And your public slaughter-houses?—Now they are very satisfactory. One which we inspected about three weeks ago is quite an up-to-date one—it is cleanly, neatly tiled, and has an excellent floor.

8814. Have you any public slaughter-houses under the management and control of the Municipality?—No, we have no public slaughter-house; the one I speak of is a private one and belonging to Messrs Tregidga & Co.

8815. Where is that situated?—On the outskirts of the Municipal boundary.

8816. And that is inspected from time to time?—Yes, an Inspector goes round regularly to inspect it, and then the Council also make periodical inspections.

8817. Do they inspect the meat also?—The meat is inspected also, but I don't know whether that is done regularly.

8818. You have a Medical Officer of Health there?—Yes.

8819. Have reports ever been made about unfit meat?—Not to my knowledge.

8820. Are there any public parks or public cricket or football grounds?—Only the land known as "church lands" to which I referred in my previous evidence.

8821. Have you any public bath?—None in Rondebosch.

8822. Have you ever made any grants of public land to any schools?—None. With regard to the value of the wash-houses I can, if it is agreeable to the Commission, put in a statement now. Since the last occasion when I gave evidence we have had the valuation made by Mr. Fock, and his report upon that is as follows:—

"Rondebosch,
"20th May, 1902.

"I certify that I have carefully examined certain properties belonging to the Rondebosh Municipality and value the same as follows:—

Certain Stables and Ground situated on the Klipfontein Road, Rondebosch Municipality	£4,500
Certain Wash-houses and Ground situated on the Klipfontein Road	3,000
Certain Ground about 30 acres situated between the Camp Ground and Klipfontein Road	9,000
Total	£16,500

(say Sixteen thousand five hundred pounds Sterling.)

"This is a fair valuation to the best of my knowledge and belief.

"(Signed) JOSEPH FOCK,
"Sworn Appraiser."

Messrs. *E. J. Earp, John Andrews* and *W. A. Batchelor.*

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Then I was also requested by the Commission to ascertain the number of owners of property and I find that the number of owners in 1901 was 437, so that compared with the total value of the property, it works out at about £1,900 for each owner.

8823. That is a very high average, is it not?—I am not familiar with the averages in the other Municipalities, and so am not quite in a position to say, but I fancy that it would be a high average as compared with the other Municipalities; but of course we have very large property owners in our Municipality.

8824. *Mr. Gurney.*] It would include Grooteschuur?—Yes; also Belmont, and then Mr. Struben is a very large proprietor there. I gave the number as 437 for 1901, but that has increased to 463 in 1902.

8825. *Chairman.*] Are there any other reports you would wish to put in, or any further information you would wish to furnish on matters touched upon the other day?—Yes; with regard to the item under the head "Sanitary Services," there was a difference which remained unexplained. The item given as £870 16s. 5d. should be £1,071 4s. 3d.

8826. *Dr. Gregory.*] In regard to your slaughter-house, is it not the case that about a year ago it was the subject of very unfavourable criticism, and had at the instance of the Government to be pulled down and reconstructed?—Yes.

8827. At that time there was really some doubt as to whether it was really under your jurisdiction or under that of the Divisional Council, was there not?—No.

8828. A statement was made by your Council that it was not within their boundary?—I was not aware that that was so.

8829. Is it not your opinion that there should be large abattoirs for the Peninsula instead of little badly constructed and badly conducted slaughter-houses?—I should not consider the one which was recently inspected by us as badly constructed, but I certainly think that it is very desirable to have such public slaughter-houses as you speak of.

8830. This slaughter-house is really an exception to the general run of slaughter-houses in the Peninsula, but that is owing very much to the fact that pressure was brought to bear upon this one in connection with the outbreak of plague?—Yes, and I should say that generally there has been very great cause for complaint, and these complaints no doubt have led to a better class of slaughter-houses being erected.

8831. But quite apart from the house itself, the meat should be regularly inspected, should it not? And with small slaughter-houses that becomes impracticable, does it not?—Yes, expressing my own personal view, I think it is very desirable in the interest of the public that some provision should be made by which every slaughter-house should be regularly inspected.

8832. So that if the slaughter-houses were under a combined authority for the Peninsula it would, in your opinion, be advantageous?—Most decidedly.

8833. You mentioned your wash-houses: is it not a fact that Mowbray has almost a similar wash-house to yours within a few hundred yards of your own?—Quite so.

8834. Do you not think it would have been more economical if the two Municipalities had had one wash-house under one control?—Yes, as a general rule, and on a general principle, certain advantages are to be had from a union of that kind.

8835. So that from a business point of view it looks rather curious to see two wash-houses, which are almost exactly the same, within a few hundred yards of one another, each having its own superintendent and staff necessary to carry on the operations?—Well, we found that there was a necessity for a wash-house and then the Rondebosch one (which I may say was the first of its kind) was built, and I suppose Mowbray found that they required one and they followed suit.

8836. *Mr. Gurney.*] Are the provisions of the Act in connection with the due assessment of weights and measures carried out in Rondebosch?—I am afraid not. If it has been the duty of the Municipality then the Municipality have failed in their duty in that respect, but I understand from the Town Clerk that that kind of work is expected to be performed by the Police.

8837. The Council has not observed that the Act entrusted that duty to them?—It does not appear so.

8838. It is not a source of large revenue, but it is one of the duties of the Municipalities to protect the interests of the public in these matters by seeing that proper weights and measures are used?—Quite so. It will be looked into.

8839. The Abstract of Receipts and Payments was discussed when you last gave your evidence, and I then asked whether we might be furnished with a statement showing exactly how the loan expenditure had been arrived at?—I have such an abstract before me now, and I have much pleasure in handing it in. [Abstract put in.]

8840. In the abstract an amount of £1,350 is shown as expenditure on the Steenbras River water scheme ?—Yes.

8841. On what grounds has the Council held that this amount should be charged against the loan ?—Well, I simply take it as a temporary loan from a loan to be repaid. That is practically the case. For instance, when the Steenbras River scheme is taken over by the Water Committee, we would be paid by them, and then this amount which has been temporarily taken for it would be repaid. It is practically a loan from a loan—from moneys that we had in hand at the time.

8842. However desirable it may have been from the Municipality's point of view to acquire these rights at Steenbras River, you are aware that the expenditure is illegal ?—I am not aware of that, because we complied with the Act inasmuch as we advertised at the time. The following is a copy of the advertisement we had published at the time :—

"RONDEBOSCH MUNICIPALITY.

"Notice is hereby given, in terms of Section 146 of the Municipal Act 45 of 1882, that it is the intention of the Municipal Council of Rondebosch to take steps to borrow a Sum of Eleven Thousand Pounds (£11,000) Sterling, for the purpose of acquiring jointly with the Municipal Council of Mowbray, a Farm in the Steenbras Valley, near Sir Lowry Pass, belonging to JOHN FREDERICK STANFORD, and for expenses connected therewith.

"A Plan of the property will lie at the Municipal Office, Rondebosch, during office hours, for one month from the date hereof, for the inspection of Ratepayers.

"By order,

"(Signed) W. A. BATCHELOR,

"Municipal Clerk.

"Municipal Office, Rondebosch,
"20th February, 1899."

8843. But you don't attempt to argue that the requirements of the Act have been met as yet in the matter ?—(No answer).

8844. Are you aware that the Act goes on to say that after the advertisement the approval of the Government has to be obtained to the full scheme before the loan can be raised ?—Yes, to the full scheme ; but this was a preliminary measure. It was altogether an impracticability to get out plans for a full scheme before purchasing the farm in the first instance. If we had proceeded on those lines we would probably have had to pay a very much larger sum than £20,000 for the farm.

8845. As a matter of fact, I take it that your position is that you regard yourselves as sufficiently protected by the tacit approval of the ratepayers, even though you have not complied with the requirements of the law ?—Yes, but I must say we do not feel any anxiety on the score of the illegality of the transaction, because we know that we have the sanction of the ratepayers to the purchase.

8846. And your auditors have raised no difficulties in passing the account ?—No difficulties whatever.

8847. Who were your auditors ?—Messrs. Wilmot and Merrington.

8848. Are they still the auditors of the Council ?—Yes. I think a remark has been made also by one of the witnesses who gave evidence before the Commission, that it was desirable that any purchase of water rights should be rendered illegal during the sitting of the Commission, and I maintain that it is unwise from a financial point of view to shew one's hand beforehand in large transactions of that kind.

8849. One can quite understand a Municipality regarding it as desirable to take certain steps upon its own responsibility even if it may be illegal, but then surely the Municipality should take steps to put itself in a right position at the earliest possible opportunity ?—Well, with regard to that I may say that owing to that lawsuit there was considerable delay in the matter, and then also some delay arose owing to the formation of a committee whose special duty we considered it was to look after the water supply for the four Municipalities.

8850. Now supposing that as a result of this Commission some water scheme were adopted which would suffice for the whole Peninsula and which would not include the Steenbras River scheme, what would be the position of Mowbray and Rondebosch in that case ?—I don't see how the ratepayers could well repudiate the purchase of the farm which they practically sanctioned. Even if they could do so legally I don't see how they could do so equitably, and I don't think they would attempt to do so for one moment, because the action of the Municipality has been in their own interests ; but of course the members of the Council have incurred certain responsibilities.

8851. And therefore you think Parliament could be trusted to come to your rescue; is that your position?—(No answer).

8852. *Chairman.*] I think you said the other day that you were prepared in that case to write off the asset as a bad debt?—That is certainly my own view, if it were necessary, but it is not; and it is the view of business men generally in large transactions. If they have made a bad speculation in one direction and they could make a better speculation in another direction, they would not trouble much about the loss, in the first instance.

8853. *Mr. Gurney.*] The point is how far a Municipality has power to do these things, and manifestly the Act does not give the power. Consequently, supposing that the Steenbras River scheme were left as a scheme that was not needed for the water supply of the Peninsula, would the property which you have purchased then be worth the same amount that you paid for it?—I believe it is worth much more to-day than we paid for it and that we could dispose of it at a profit. If we were to try and sell it to-day I feel convinced that we could do so at a larger amount than what we paid for it, so that we do not feel any personal responsibility in the matter nor do we apprehend any personal loss.

8854. Would you hold that view if the Steenbras River scheme were left out of any water scheme altogether for the Peninsula?—We have not very much at stake at present. At any rate the members of the Municipality felt that it was their duty in the interest of the public, even at some personal risk to themselves in the first instance, to do what they could in order to obtain a sufficient water supply for the ratepayers, and the ratepayers have unanimously approved of that line of action.

8855. And you say the auditors raised no difficulty?—No.

8856. *Dr. Anderson.*] Have you an Infectious Diseases Hospital at Rondebosch?—We have no Infectious Diseases Hospital there, but we have lately made arrangements with the Government to use Rentzkie's farm for the purpose whenever required.

8857. That is only for small-pox, I understand, is it not?—Well, then, we have no other arrangements.

8858. Have you discussed the advisability of providing accommodation for cases of diphtheria, scarlet fever, &c.?—No.

8859. Would you consider it advisable if such accommodation could be provided that it should be done by a large number of Municipalities joining together?—Certainly; I don't think that the work could be so well undertaken by isolated Municipalities, but that it would be very much better done if a large number of Municipalities were to join in the matter.

8860. *Chairman.*] Can you tell me the extent of the Steenbras Farm which you bought from Mr Stanford?—I could not tell you at the moment, but the information could be supplied to the Commission. [*See Footnote at end of Evidence*].

8861. Has all the purchase price been paid?—No; there is a bond of £9,500 upon the farm.

8862. Is that the whole of the mortgage upon it?—Our share; and then of course Mowbray would have a similar sum on mortgage.

8863. So that some £19,000 of the purchase amount of this farm is still owing on mortgage?—Yes; that still remains unpaid.

8864. Have any debentures been issued, or is it simply by a mortgage on the farm?—No debentures have been issued. It is merely a mortgage on the farm.

8865. Has any collateral security been given in the way of pledging any Municipal property in addition to the farm property?—Only so far as the general clause in a mortgage bond covers all one's assets.

8866. Am I right in supposing that by giving the farm back to Mr. Stanford you could get out of your difficulty in that way?—That is not the usual custom.

8867. You cannot by giving the farm back get out of your liability?—No.

8868. I notice that Mr. Stewart, who gave a report upon the Steenbras River scheme, gives the length of the Steenbras River valley as about 10 miles?—Yes.

8869. Which part of the valley does your farm cover; the upper part, the lower part or the middle part?—The lower part near the mouth of the river.

8870. Then to whom does the land belong at the head-waters of the Steenbras River?—I think Mr. Struben has purchased three farms higher up the valley above Mr. Stanford's farm.

8871. Does Mr. Struben then own the land at the head-quarters of the river?—Yes.

8872. And you come in as a riparian proprietor claiming certain of the storm-water collected on the area?—Yes, but there is a very large collecting area on the farm itself.

8873. On your own farm?—Yes; we have a very large collecting area there.

8874. Mr. Stewart gives the total area of the Steenbras Valley at 24 square miles?—Yes.

8875. Have you any idea of how much of that is on the farm that you bought from Mr. Stanford, and how much of it is in the hands of the other parties?—I could not give you that information from memory, but it could be supplied from the title deeds.

8876. Putting aside the result of the litigation now pending, you would still have to arrange with Mr. Struben?—It would not be absolutely necessary, because they are two different collecting areas, and our farm has a very large collecting area, besides there would be no doubt a considerable flow from Mr. Struben's land which I take it he would not be able practically to stay. It would flow on to our farm by gravitation, but of course that is only a layman's view.

8877. These points have not been gone into?—Oh yes, we have Mr. Stewart's report upon the subject.

8878. Yes, that is true; I have Mr. Stewart's report here before me, but still you don't know how much of the collecting area of twenty-four square miles is on your own land and how much of it is on Mr. Struben's land?—No; I could not give you the figures from memory.

8879. Then there is another point about that: I see Mr. Stewart in his round says, that to build a reservoir that will hold 900,000,000 gallons will cost in report figures about half a million of money?—I have the figures here at £465,000, and that would of course be close upon half a million.

8880. Now, are Mowbray and Rondebosch prepared to finance a scheme of that magnitude?—Well, you must take into consideration that our own requirements would not have been as large as the figures you are now quoting from Mr. Stewart's report, and the Municipalities concerned have come to no decision as yet as to which scheme would be the most desirable and practicable.

8881. We have had some evidence from Mowbray on this point, and I may mention that it was given by Mr. Tonkin, when in reply to a question put by Mr. Stewart, he gave the total quantity as 6,000,000,000 gallons, which would represent an acreage of 827, and be equal to a supply of 17,000,000 gallons per day. I will read to you the evidence, as follows:—

> "Referring to the report by Mr. Stewart on this question, what was the total quantity which he said you could get from the catchment area of the Steenbras River?—The total quantity I think is 6,000,000,000 gallons: that would represent the contents of the reservoir and would cover an acreage of 827, and be equal to a supply of 17,000,000 gallons daily.
>
> "Would that mean the quantity of water flowing from the area drained by the river?—No: that is the quantity that the reservoir will contain.
>
> "But that is the estimate of the quantity that will come off the catchment area and then the reservoir will be built to contain that quantity?—Well, the reservoir would be 90 feet above the stream; there are 827 acres. I suppose that would then be the storage capacity of the reservoir.
>
> "Are there any data given to warrant the assumption that that quantity of water would be available for the reservoir?—It is given somewhere; a lot of water will still be running away.
>
> "Well how much would that compute to daily, roughly?—That I think would give you about 175,000,000 gallons."

But you are only estimating according to Mr. Stewart for a dam 57 feet high and to contain 900,000,000 gallons, and that is to cost half a million of money: whereas Mr. Tonkin in his evidence seems to believe that the reservoir was to be about 90 feet high and it was to contain 6,000,000,000 gallons?—With a wall 90 feet above the bed of the stream the dam would contain 6,000,000,000 gallons of water which would give 30,000,000 gallons per diem for 200 days.

8882. But there is no estimate of the cost of that?—No.

8883. Your largest estimate is that a reservoir, containing 900,000,000 gallons with a dam wall of 57 feet high, will cost about half a million of money exclusive of what you have already spent, exclusive of what necessary legislation will cost, exclusive also of what you will have to pay to Mr. Struben for compensation and for difficulties of that kind, and exclusive further of the expense of making provision for a filtering bed and other accessories?—Yes.

8884. The point is then that to get this reservoir with a storage capacity of 900,000,000 gallons, with all the necessary accessories, an expenditure of at least three-quarters of a million of money for the two Municipalities of Mowbray and Rondebosch must be contemplated?—Yes.

8885. In addition to that you have already your liabilities to the Joint Committee of £75,000 each, together £150,000, so that the Steenbras scheme would involve

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altogether for the two Municipalities an indebtedness close upon one million; does it seem to you that they may be able, as small Municipalities, to finance such undertakings?—I may say that those figures are merely from Mr. Stewart's report, and we have not come to any decision as yet. Those are merely suggestions for our consideration. And I presume that the Municipalities of Mowbray and Rondebosch, or even the Water Committee, would not finally go into any scheme, until they find that it is a practical working scheme which they could undertake, taking into consideration the question of a sufficient revenue to pay interest on the capital, and a scheme that they could carry out without any additional cost to the community. It does not follow for a moment that we consider those figures practicable or that we have in any way adopted them.

8886. I presume we may take them as some kind of indication of what the cost of such a scheme might be?—Probably.

8887. It would not be done for less than that?—I could not say.

8888. Another point is this: that inasmuch as Woodstock appears to contemplate an expenditure of about as much as you are contemplating; should we not put the proposed expenditures together, and ask whether it is within the means of the Municipalities concerned to finance so heavily?—Naturally, that is a common-sense business-like procedure.

8889. Then in addition to that we have to look at it from the point of view of the amount of expenditure you are contemplating for unavoidable drainage and sewerage; that will probably be another half a million of money, so that altogether it seems that the three, or almost four, Municipalities, appear to have schemes in contemplation at the present time which involve an expenditure in all of at least £2,000,000; and therefore the serious question that the Commission has to decide is, whether it should recommend the sanction of such arrangements unless no other provision can be made?—I may say that the view of the Municipalities is that if they found that they have a practical scheme, they would go to Parliament and get a special Act, which would sanction the borrowing of sufficient money to carry out such a scheme. That was the idea of these Municipalities, if the scheme was really feasible and commended itself to business men, and expert evidence agreed that it would be a practicable one; but of course we think now that it is perhaps the business of this Commission to suggest a practical scheme for water and drainage for the community.

8890. *Mr. Gurney.*] But the Municipality went in for this scheme before the Commission was heard of?—We have not gone in for it fully, as yet.

8891. *Chairman.*] You have not committed yourselves to very much, it is clear; but the point is as to how far it is practically safe for the Municipality to commit itself without some better understanding as to conjoint action?—Yes.

8892. Have you anything to say about the boundaries of your Municipality? You have no well-defined boundary as between your area and the areas of the adjoining Municipalities?—If convenient to the Commission, Mr. Andrews will give you the information upon that subject.

[*Mr. Andrews* answered all the questions from this stage.]

8893. We have a letter here addressed to us by a proprietor of property, which seems to indicate a condition of affairs not altogether unheard of elsewhere. It is dated, "Welgelegen, Rosebank, Municipality of Mowbray, 10th May, 1902." He writes on the subject of boundaries as follows:—". . . . . Mowbray, in which this property was situated, was, I am told, formerly in the Municipality of Rondebosch, but when a separate organisation was established, the rates on so considerable an estate were of consequence, and the bulk of the land lying in Mowbray, the dividing line was so made as to throw the homestead into it; but for reasons which no doubt appeared adequate the boundary line on the southern side did not exactly follow that of the farm, but cut through some land which had then been laid out as building sites, and passes through what is now my garden, leaving a small part of the property in Rondebosch. It must, I think, be admitted that such a boundary line is unreasonable, and the very fact of the necessity for its adoption must be a ground of objection to Mowbray being a separate Municipality. . . ." Is that an isolated case?—No; I know that there are cases where the boundary cuts right through certain properties.

8894. How do you do with these properties in the matter of collecting rates?—The valuation is apportioned between the two Municipalities. The valuator is informed that the boundary in such a case cuts through the property and then the valuation is fixed respectively on the portion which falls into the Municipality of Rondebosch, and on the portion which falls into the Municipality adjoining.

8895. Is there any possibility of getting rid of anomalies of that kind?—A Commission did sit some time ago and certain alterations were recommended, but those recommendations were not carried into effect. It would be very desirable if our boundaries could be altered in certain places which could be pointed out.

8896. I suppose the best way of altering this state of things would be by amalgamating all the Municipalities?—Well, I think that would be a very drastic remedy.

8897. But this anomalous condition of affairs arose in consequence of the separation of the Municipalities ten or twelve years ago?—These boundaries were fixed by the Government when the Village Management Boards were established somewhere about 1894.

8898. This gentleman from whose letter I have read, seems to say that when the Municipalities were separated the boundary was made to pass through his property?—Between Mowbray and Rondebosch that would not be the case because for some years they were practically one. The same boundary was there under the previous Government when the Village Management Board existed.

8899. So that it is not your fault as a Municipality?—No.

8900. Questions of the same kind have cropped up in some of the other Municipalities, have they not?—Yes, I presume they have.

8901. As between Wynberg and Claremont, Claremont and Rondebosch, and Mowbray and Woodstock?—Yes.

8902. Is not that state of things likely to go on from bad to worse?—I don't think that they could get any worse than they are now.

8903. Well, they don't exist for the whole line of boundary at the present time?—No, certain corners and nooks, but it would be a very difficult matter. You cannot draw a straight line between the Municipalities, as you must zig-zag between the properties.

8904. That seems to indicate the ill effects of drawing any line at all?—Well, our forefathers thought they were doing a wise thing, and they settled these boundaries.

8905. Do you think you should keep by the lines which your forefathers placed?—Well, we are rather conservative.

8906. But there are exceptions to every rule?—Yes.

8907. Are there any other remarks that you would like to make about the boundaries of Rondebosch?—There are certain parts where we should like to have the boundaries rectified.

8908. Mr. Earp made some remarks the other day about the Camp Ground. You do not consider that land under your control?—No; not under our immediate control; but we consider it most desirable that it should be, as Mr. Earp said.

8909. This Commission might again bring the matter to the notice of the Government?—We should be very glad indeed. The Municipality have been contemplating to bring it up again very much on the same lines as it was done about 3 years ago, but this time on their own initiative, and of course with the consent of the Church authorities. We are very desirous of getting this matter settled, and that is why we were so anxious that the Bill should go through.

8910. What were the grounds of the objection to the Bill?—It is almost impossible to say. The Bill was thrown out in the Council by members living miles away from Cape Town, and as far as I can see they could give no reasons for throwing the measure out. All the local men and those who had any real interest in the matter at all were in favour of it, but they were overruled by the members from a distance.

8911. It was not the Municipality who brought in the Bill on that occasion?—No.

8912. It came from the Church authorities themselves?—Yes; the idea was to extend the boundaries so as to put the ground into the hands of the Municipality.

8913. And now do you intend to bring in a Bill making similar provisions?—Yes, it is our wish to do so.

8914. You advocate this on the ground that there is practically a tract of land which is not under any efficient control?—That is so.

8915. And you consider it desirable in every way that it should be placed under the control of the Municipality?—Yes, we do.

8916. And in that Bill terms should be made for settling the rights of the present holders?—Yes, such as was provided in the former Bill

8917. And further, that the vast bulk of this land should belong to the inhabitants of Rondebosch as a common land?—Yes, as a recreation ground, which was contemplated in the original grant.

8918. Under the control of the Municipality?—Yes.

8919. And I suppose it would go to any greater Municipality which might hereafter be established?—Yes; as it is, the ground is being made use of by the public

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not from Rondebosch and Mowbray only, but people come from Cape Town and other places to play football and have other sports on the ground.

8920. *Dr. Gregory.*] You are acquainted with the Rondebosch Extension?—To a limited extent, I have not prowled in that unsavoury neighbourhood.

8921. That is under the control of the Divisional Council?—Yes.

8922. But it abuts on your boundary?—Yes.

8923. You are aware that owing to the fact that there is no local authority which has the power to intervene (the Divisional Council having no power in that respect) large numbers of natives and most undesirable persons are practically squatting there without any restraint?—Yes.

8924. They are putting up tin shanties and shanties made of all kinds of material that they can lay hold of, without sanitary arrangements of any kind and without a water supply, and the consequence is that a most undesirable state of things is occurring at that place?—Yes, I am aware of that.

8925. You are aware that it has been matter of considerable complaint from different parties?—Yes.

8926. Is there any reason why that area should not be included within the area of the Rondebosch Municipality?—I think the general idea is that, seeing that there is a project for a line of railway to run almost through that ground where those houses at present exist, it would be, or at all events it might be found that it would be, necessary to create a fresh Municipality or a fresh area of local government in that neighbourhood apart from Rondebosch.

8927. But what is the objection of Rondebosch taking it in at the present moment?—I don't think we should like to undertake the responsibility of the management of that ground, in the face of it being in the conditon in which it is at present. So much harm has been done there by people building, and so on, that it would be a very difficult matter to recover the ground, and it would require a very strong kind of government to deal with the matter.

8928. That is exactly what I was going to ask you; is not a condition of things being allowed to occur out there owing to vested interests being established which it will be next to impossible shortly for any local authority to deal with?—I am afraid so.

8929. You will have dwellings put up without streets and streets without any alignment, and altogether a very serious condition of things for the Peninsula is being formed there from a sanitary and social aspect?—Yes, unfortunately it is growing very rapidly.

8930. Now, that is a menace to your Municipality even more than to the surrounding ones, as you are close to the border?—There is a pretty wide interval between us. I should say that the distance would be from half a mile to three-quarters of a mile to that place from our boundary.

8931. When the plague was in existence, this spot was a very great difficulty and a very great danger, owing to cases occurring among those people, and no supervision being possible over them?—It was a very dangerous spot.

8932. And what took place in regard to the plague might take place in regard to other infectious diseases at the present time?—The Rondebosch Municipality exercises no supervision whatever.

8933. But you are running the danger and the risk of infectious diseases being spread into your Municipality from this place?—Yes, the people who live there have to go through our Municipality if they wish to go to Cape Town or to get access to the railway.

8934 Now, whatever your objection may be—whether it is valid or whether it is not—you will admit that it is your duty to turn to and do something in the matter?—No; I hesitate to admit that it is our duty, because it is outside our limits, and we have no authority. We are reluctant, I think, to contemplate undertaking such a heavy responsibility as would await us there.

8935. *Mr. Gurney.*] You think it is rather a matter for the Government?—Yes.

8936. *Chairman.*] Is it private property?—Yes.

8937. *Dr. Gregory.*] But your Municipality, as the chief party threatened by this state of things, has a duty to perform to its inhabitants in the matter?—Yes; but we have no power. We have had plenty to occupy our attention within our own Municipality, and I may say that our attention as a Municipality has not been directed towards this neighbourhood with a view to doing anything ourselves, especially seeing that it is entirely and absolutely out of our control.

8938. It is out of your control owing to the artificial barrier of a boundary proclaimed by the Governor, is not that all?—Yes.

8939. And do you think that these artificial boundaries should be allowed to interfere with the proper sanitary control of a place?—Well, I think a line must be

drawn somewhere, because, if not, they might wish us to take in the whole of the Flats.

8940. Do I understand that when once you have drawn a line you would like to stick to that for all time?—Oh, no; because circumstances might arise which would render it desirable to alter that line, and in every case circumstances must be taken into consideration. Personally, I should rather see that some other Municipality would take care of that particular neighbourhood.

8941. Why should another Municipality at some distance take it over when it abuts on the boundary of your Municipality, and when you are the persons more directly interested?—I should have said, not another existing Municipality, as I had in mind the establishment of a fresh Municipality, which would have to be created in that part, especially now that the railway is going to be put in hand very shortly, because when once that is finished, you will find buildings all along the line.

8942. Still in an unbuilt-on neighbourhood like that, from a practical point of view, a new local authority would have very little means to carry out things properly, and, after all, the thing is so nebulous that we ought to consider it as it stands?—For some years, of course, it would be difficult for a new authority, but I should suggest that something in the shape of a Village Management Board might be started there as a local authority.

8943. To put it in another way: if the Governor exercised the powers conferred upon him and compulsorily included this area within the bounds of the Rondebosch Municipality, would your Council have any valid objections to offer to that?—I don't think we should resist the decree of the supreme power in the land, but at the same time I think we would stipulate that we should be given greater powers than we have under present circumstances. Suppose we go on to the land, and find for instance an iron house built there which is not constructed according to our regulations as things at present stand, we cannot touch it.

8944. Is not that a reason why you should have watched over this long ago and asked for the inclusion of this area in your Municipality?—I am afraid the place grew up without our knowing anything about it. It is a long way out of sight. I may say that some years ago when a Commission was appointed on the Municipal boundaries, this question then cropped up, and I think one of their recommendations was that this very area should be brought in. At that time we should have had no objection to this area being thrown into Rondebosch, because then nothing objectionable existed there, but the recommendations of that Commission were not carried out, and consequently nothing was done.

8945. What Commission was that?—It was a Commission appointed, I think, in about 1893.

8946. What was it called?—"Municipal Boundaries Commission," perhaps, but I am not certain. It can, however, be found out and supplied to the Commission if necessary.

8947. You were speaking just now of the inconvenience of Municipal boundaries running through private property?—Yes.

8948. There is almost equal inconvenience when it runs down the centre or the side of a road?—Yes, that is so.

8949. Difficulties arise in regard to questions of drainage, and in regard to the keeping of the road in proper repair?—Yes.

8950. So that the net result of your evidence, as far as Municipal management is concerned, is that boundaries cause difficulties, and the fewer you have of them by cutting up into small Municipal areas the better?—Well, I would not admit that altogether. If the boundaries are carefully drawn, and drawn with discretion, there should be no difficulties.

8951. *Chairman.*] This land that Dr. Gregory has been questioning about, is that private property at the present time?—Yes, entirely, it has been sold in plots.

8952. What is the name of that property?—I don't think it has a name, but I think it is called the Rondebosch Extension.

8953. Is there any land between this ground and the boundary of your Municipality?—No. I presume that the Krombooms River is our boundary, and all the land on the other side of that is called the Cape Flats; and this village that we have been speaking about is about half a mile further.

8954. And what class of people live in the village?—Mostly Kafirs, and the lowest class of coloured people.

8955. Where do they work?—All about; many of them come into Cape Town.

8856. Then this village is really what is known in other parts of the country as a Native Location on private property?—Yes.

8957. Why is it not put under an inspector?—I don't know.

8958. Could not your Municipality move the Government to get an inspector appointed in the same way as is done elsewhere in the case of locations on private property?—I don't think the purely Kafir element is so very strong, and you may find that the ordinary Cape coloured people comprise the larger proportion, and they would probably resent being called a location.

8959. But the Act is very clear upon the point. I think even if only about five or six of the native races are in occupation of private property it can be declared a native location?—I am not acquainted with the provisions of the Act.

8960. Speaking generally, needs for rural administration in the Cape Division are certainly going to increase owing to the constant demand for more native labour in this part of the Colony; and under these circumstances should there not be given to the Divisional Council, which is the one rural body sitting as a local authority, the power to intervene in these matters, until the Municipalities grow so as to take control of areas of that kind?—It is a most desirable thing that control should be exercised over this spot.

8961. Would you then be in favour of extending the powers of the Divisional Council in respect of areas of this description?—Yes, areas outside the Municipalities.

8962. Have you any idea of the number of people that are located there or of the number of huts that have been built?—No, I don't know.

8963. Do you know whether the owner of this land derives any rent from these people?—No, I have no knowledge.

8964. Now, on the question of amalgamation of one or more of the Municipalities in the Peninsula: will Mr. Andrews go on answering the questions, Mr. Earp?—(*Mr. Earp.*) I think he is prepared to do so. (*Mr. Andrews.*) I should be very pleased to do so.

8965 Well then, Mr. Andrews, do you see any disabilities at the present time under which the Suburban Municipalities labour owing to their segregated condition?—Certainly, with regard to water and drainage, they cannot act separately. They must amalgamate, or rather they must have one general Board whereon each Municipality is properly represented.

8966. Something of the same kind as perhaps the Joint Committee for managing the water?—Yes, the present Water Board.

8967. Do you think that that has been such a success up to the present time that you would like to see their sphere of operations extended?—I think they have carried out their work satisfactorily.

8968. If you set up another Board in the suburban Municipalities, would you put the waterworks, which are now in the hands of the Committee, under the new management?—I am really not prepared to say whether there should be a separate Board for water and a separate Board for drainage, or whether the one Board should control the whole.

8969. If we are to create this Board, how are we to set about it?—That is a very difficult matter, because we have not very many men in the suburbs who have the time to devote to Municipal affairs, or who are willing to work in the public service, and therefore a very large Board, or several Boards, would be unworkable; in fact, the smaller the Board—the smaller the governing body—the better.

8970. Do you contemplate your Board to be an elective Board or a nominee Board?—Elective to the greater extent, but probably the Government might wish to have nominees upon it.

8971. Would you give that Board the control over similar works in the city of Cape Town?—You mean outside their own sphere?

8972. To look after similar works in Cape Town, I mean?—Do you mean that one Board should be established to control the whole of the Peninsula?

8973. You spoke about having a Board to control all the sewerage for the Municipalities?—I said suburban Municipalities.

8974. You are then referring to the suburban Municipalities only, and you are excluding Cape Town?—Oh, yes.

8975. You wish the suburban Municipalities to act for themselves?—Yes.

8976. Through this Board?—Yes. In fact, I should say that all the Municipalities from Mowbray onwards should have their own Board, but Woodstock, I think, forms a natural part of Cape Town, and should be amalgamated with Cape Town.

8977. Into one Municipality?—Yes, one big Municipality.

8978. And then would you let them carry on their water and sewerage works through their Municipal Council?—Yes, they might do so, and it would be merely a continuation of their present system, as they have at present practically their own Board dealing with water matters.

8979. If they can carry on these large works, why cannot you do it as well in the suburbs by uniting into one Municipality?—For large works we certainly could, and as a matter of fact that is what we would advocate.

8980. Yes; but you want a Board outside of the Town Council?—Yes, because what I may call the purely Municipal or purely local work would have to be carried on by smaller Municipal Councils, and that would be done with very little expense, I presume.

8981. You spoke about the difficulty of getting men for the work, how are you going to get men to fill both the Town Council or Municipal Board proper, and your superior Board undertaking the construction of water works and sewerage works?—We hope that the public spirit will be infused into the people, and that they will rise to the occasion, and come forward and take their part in public life.

8982. Don't you think, now, that you would be more likely to enthuse the public mind if you bring all the Municipalities together and have one large concern, upon which men would like to fill positions owing to their importance and dignity belonging to it?—I may say at once that I am not averse to the general principle of amalgamation as a whole; but the difficulties that I see would be that you must continue to have your small local affairs attended to by somebody; and consequently you will have to have your Sub-Committees or Sub-Councils to do such work in each Municipality.

8983. But is that so? You have in other parts of the world Municipalities five or six times as large as your whole amalgamated Municipality would be, and yet they carry on the work in all its details by the one Council?—I cannot of course speak from personal knowledge as to their arrangements in those parts; but I should fancy that in that case the area would be divided into wards or something of that sort, and each ward would have certain people to look after that ward in particular.

8984. A staff of officers of the Council?—Quite so.

8985. Well, then, what is to hinder us from having an amalgamated Municipality here, having its wards, with officers to do this local work, who are appointed by the Council of that amalgamated Municipality?—It might be practicable. I don't know whether circumstances are peculiar in this country, but some years ago we had a community of some such description—the Liesbeek Municipality—but that did not last very many years.

8986. It lasted about four years?—Yes, and did not work well.

8987. Well, I think we have got pretty well at the bottom of why it did not work well: it was no insuperable difficulty, however. People allowed their little jealousies to get the better of them, and they therefore agreed to separate, but there was really no Municipal incompatibility. There was nothing impracticable in controlling affairs as far as Municipal Government was concerned, was there?—I am not acquainted with all the circumstances, so I am not in a position to judge.

8988. Don't you think we have all grown a little bit older and wiser since that time?—Yes, I think we have.

8989. In view of the absolute necessity of large works being undertaken in this neighbourhood, do you not see the same necessity for a combination on the part of all these authorities?—Certainly, for the larger purposes.

8990. But then by not combining them for everything you create the difficulty of dual control, to which people object very much in this country?—Yes, certainly.

8991. You spoke about excluding Cape Town; but the necessity exists in Cape Town also for larger works; and do you think we should recommend that a Board of Works be appointed over the Town Council of Cape Town?—As apart and separate from the Municipalities?

8992. Yes; I am sure you will see great difficulty there as far as the feelings of the people are concerned, would you not?—(No answer).

8993. Do you propose that the Board such as you have indicated should be given power to rate in respect of the work under its charge?—Yes.

8994. That might be another source of trouble, might it not?—Well, the Board would be separate from the Municipality, the former looking after the larger works and the latter carrying on the minor and ordinary works of the Municipality, and I presume that some method might be found by which the one rate should cover everything. It would certainly be annoying to having the two rates the same as the Divisional Council and Municipality at present.

8995. And this Board would be another authority? Would it not seem to you desirable that without calling into existence another Board we should rather try and amalgamate the Boards that are at present in existence and extend their powers?—The powers of the amalgamated Board?

8996. Yes; don't you think it has a better chance of success?—I think so, for the greater works certainly.

8997. You cannot in any case carry out these greater works without having a competent staff of engineers, and it is to them in the main that the safety, competency and efficiency of the works must be entrusted?—Yes.

8998. Well now, in what way is a Board chosen above your Municipal Council likely to have a better staff than one large amalgamated Council would have?—Our ordinary Municipal work, such as the repairing of our roads, does not call for very great or for very particularly skilled men. Such work can be done by an inspector who has a knowledge of road making and who need not necessarily be an engineer, so that we do not employ an expensive staff in that way.

8999. No; that is quite true, and you could not afford to employ expensive officers at the present time?—No.

9000. In combining and having the power to borrow large sums of money to carry out these works, the amalgamated Municipality would have a better staff?—Certainly.

9001. Any combination of Municipalities would be able to afford that, and they would have to raise the money in any case: so would they not be in the same position in that respect or almost in a better position than your Board would be if specially appointed to carry out the work?—Yes, certainly.

9002. And then you would have this also by an amalgamated Municipality: you would be able in that way alone to get on with fewer men in the Municipal Councils?—Yes.

9003. You have at present something like 80 or 90 men governing these six or seven Municipalities in the Peninsula?—Yes.

9004. And the amalgamated Municipality would get along with about one-third of that number?—Yes, certainly.

9005. And in that way you would have a selection?—Yes.

9006. So that for the amalgamated Municipality you might really get as competent a Board of Works as you could if the new Board of Works were specially selected for the purpose?—Yes, the only point is, I fancy, that the Municipality and many of the inhabitants would not like the idea of having the control of their own little details, as it were within their own boundaries, taken away from them. They would give them up with a great deal of reluctance. It might be sentiment, but nevertheless the feeling does exist, and in Rondebosch things are very well managed, and I don't think they will very readily give up there the control of their own affairs to be managed by one amalgamated Municipality.

9007. Would they not have the same objection if a Board was put over them to control the larger works?—No, I don't think so, because those are matters above their heads as it were, but it is the management of minor details that they would like to keep in their own hands.

9008. And do you think that if the minor details were left to the Council, you would get the same class of man to come forward and attend to them?—As a matter of fact, we are only dealing with minor details now, and they have dealt with them for many years.

9009. But you have been influenced more or less by the idea of eventually carrying out larger works?—Yes; but I should like to see the larger matters placed in the hands of men of much greater ability than the majority of the men on the Councils now.

9010. But you look mainly to experienced officers for that purpose?—Yes.

9011. And these men are beyond your power to get at the present time?—Yes, that is so.

9012. There is another point in connection with the amalgamation: does it not appear to you as absolutely essential for the carrying out of a water scheme for the whole of the Peninsula that a large catchment area would have to be obtained, that large works would have to be brought into use, and that legislation would have to be passed in order to obtain all that?—Yes, it does seem so. While on the subject of the water I should like to say that in reference to the Steenbras River scheme when we took the matter up it was more particularly with a view to supplying the requirements of Rondebosch and Mowbray. The water we got then and which we still get would not amount to half a million gallons a day. Therefore when this report of Mr. Stewart came to us the greater part of the estimate made by him would not be required by us for many years to come, and therefore we would not require such large storage works at once as we would not need anything like the quantity of water that could be stored on the area. A lower retaining wall would suffice us for some years to come and we would only have to increase the capacity of our storage reservoir as our demand for water increases from time to time. The lowest of Mr. Stewart's estimates, I think, is 2,000,000 gallons a day. For an estimated expenditure of £320,000, with a retaining wall 40

feet high, the quantity of water available would be 2,000,000 gallons per day, and our present quantity is, as a matter of fact, only about a quarter of a million.

9013. That was only to give you a very small storage?—Altogether 2,000,000 gallons a day.

9014. Practically it was for Rondebosch and Mowbray alone?—That was the idea.

9015. But now you see that there seems to be a possibility—I am not passing an opinion—of what the ultimate resolution of the Commission might be, but there seems to be a possibility of getting water from that neighbourhood sufficient for the wants of the Peninsula for many years to come if we can get the storage capacity for 6,000,000,000 gallons of water, and therefore the question becomes so large that the Legislature of the country might deem it expedient to take the matter out of the hands of Mowbray and Rondebosch altogether and make it a bigger thing?—I don't think we would be opposed to that.

9016. The same might be said with reference to the Oliphant's Hoek scheme?—Quite so.

9017. Or practically take the matter out of the hands of any of the Municipalities, it being for the metropolitan area of the Colony and therefore a matter in which the Legislature would be justified to interfere?—Quite so.

9018. As it did in the case of Melbourne?—Oh, yes, we all recognise that. When we went into this matter first people had been looking in all directions in the Peninsula for water supply, and the Steenbras River scheme was the first mooted outside the Peninsula, the Oliphant's Hoek Scheme came later on; but matters have changed so much since we took up that scheme that we should be quite prepared to see the Steenbras valley turned into one large enormous storage reservoir. I have been there twice myself, and it is a perfect natural site for an enormous reservoir.

9019. It seems very suitable in many respects. I was looking at it from the point of view of the capabilities of that scheme or of any other scheme in regard to the future needs of this part of the Colony whose requirements are put down at something like 8,000,000 or 10,000,000 gallons of water per day; it therefore seems inexpedient that the supply should be put into the hands of any local authority, but it should rather be an undertaking for a Board of Works, or of an amalgamated Municipality dealing efficiently with the business as a whole?—Oh yes; in the larger schemes, of course; if they are entered into for the benefit of the whole Peninsula, I feel certain that no voice would be raised against it as far as Rondebosch is concerned, and we should be quite ready to give up our interests for the benefit of the whole.

9020. Then we are left with these alternatives: either amalgamation of all the Municipalities into one Municipality with power to deal with this matter, or, leaving these Municipalities in their present segregated state, putting over them a Board of Works partly elected by the Municipalities and partly nominated by the Government, to act in their behalf. And the question is, which would be the more advantageous, and which would consort more with the feelings of the people; and besides, which would have the most power and be the most likely to be productive of the greatest utility?—You mean one Board to control Cape Town and the Suburbs?

9021. Yes.—That is a very large question.

9022. Yes; but it is not so large a question that men have not felt themselves perfectly competent to deal with it in other parts of the world. Take, for instance, Liverpool, which has a population of 700,000 or 800,000 people, and whose Town Council carried out the waterworks to bring water from a distance of 100 miles. They even supply other towns *en route;* they have done all that without the assistance of any Water Board, and it has been a perfect success, and have carried on their complete Municipal government at the same time. The same has been done in Glasgow, and the same is going to be done in London, and one cannot see why it could not be done here?—(No answer).

9023. *Mr. de Villiers.*] If there is to be amalgamation, what Municipalities would you prefer to be amalgamated?—It depends upon whether the large scheme, of which the Chairman spoke, which is to include Cape Town, is to go through, because in that case I don't see how you could stop short of Wynberg. You would have to go from Sea Point to Wynberg

9024. You spoke about Mowbray; would you wish to see an amalgamation from Mowbray to Wynberg?—No, from Sea Point to Wynberg, if there is to be the large scheme of which the Chairman spoke. If there is to be one amalgamation scheme it is difficult to see how you are going to leave out the other Municipalities. It would have to be from Sea Point to Wynberg, both inclusive.

9025. Then should the amalgamation stop at Wynberg?—Yes; but for a smaller scheme you might have it from Mowbray to Claremont, both inclusive.

9026. That is for three Municipalities?—Yes; Mowbray, Rondebosch, and Claremont. That is of course the smaller idea.

Messrs. E. J. Earp, John Andrews and W. A. Batchelor. 21st May. 1902.

9027. Where would you then have the central Town Hall?—Midway between the three, which happens to be Rondebosch.

9028. *Chairman.*] Have you anything to say about the future of our Divisional Councils. Would you be of opinion that even if the Municipalities take over the maintenance of the main roads within their areas, there should still be some authority for controlling outside roads?—Certainly.

9029. And whether we should call them Divisional Councils or County Councils does not really matter much?—No.

9030. The question then really arises as to what other powers it is feasible, in the light of modern times, to give to the Divisional Council, or to the County Council, in addition to the maintenance of roads?—Yes.

9031. Well, I think we have hit upon one to-day, have we not—viz, the control of Native Locations?—Almost full powers should be given.

9032. You recognise the necessity of having local authorities outside the Municipalities with fuller powers than those which are at present given to the Divisional Councils?—Certainly, I should think to a certain extent they should have the fullest powers.

9033. Then, following the idea as to the powers given to the County Councils in England, you might give them control of a good many things, such as the conservancy of rivers and of natural forests, the management of Native Locations, some control or some say in the management of Mission Stations, the suppression of noxious pests or contagious diseases of animals, the prevention of fires, and, generally, control in sanitary matters or other things in the rural interest?—Over every part where there is no local government established, certainly.

9034. A cry has been raised that the time has come to abolish the Divisional Councils; but it appears to me from your evidence that it is your opinion that if we abolish the Divisional Council, it can only result in bringing something back in its place?—What we desire is to abolish the Divisional Council control within our Municipalities, but not outside. We object to the dual control of our roads.

9035. In this connection do you agree with Mr. Earp as to the Municipalities giving a contribution towards the upkeep of outside roads?—Oh yes, I think it is only reasonable that we should not throw the whole of the expenditure on the outside roads on the country districts, but that we should contribute our quota towards their upkeep.

9036. Have you any other points that you would like to bring forward?—No.

[Subsequently, the Town Clerk, Rondebosch, reported that the extent of the Steenbras River Farm, as held by the Joint Councils of Mowbray and Rondebosch, was 906 Morgen 63·25 square roods.]

THURSDAY, 22ND MAY, 1902.

Present:

Hon. Sir BISSET BERRY (*Chairman*).

Mr. W. E. GURNEY.	Dr. A. J. ANDERSON.
Dr. A. J. GREGORY.	Mr. J. E. R. DE VILLIERS.

Mr. R. O. Wynne Roberts, Assoc. M.I.C.E., further examined.

Mr. R. O. W. Roberts. 22nd May, 1902.

9037. *Chairman.*] There are one or two points which, on looking through your evidence, occurred to me as requiring some more elucidation. I noticed that you said in reply to Dr. Gregory, when he was asking if you had seen or examined any of the schemes for water supply now before the public, that you had inspected the schemes but were not in a position to give even the Town Council any information upon them, but that you had given some slight outline, I presume to the Council, which, however, was not to be considered as reliable. The question I want to put to you is this: what data do you consider it desirable that the Commission should have in reference to these water schemes? You said that you were arranging to obtain some other data?—That answer requires a little qualification. I understood that the question was put to me by

Dr. Gregory in connection with the Oliphant's Hoek and the Steenbras schemes, and that he was asking if I was acquainted with them. I meant to reply that I had inspected them but not in any official manner; not with the view of giving data to work upon. Other suggestions were thrown out upon which I am obtaining particulars, but I am not in a position at present to give them. It appears to me that the data required is the most important feature of the whole work which the Commission have in hand.

9038. That is the point upon which I would be glad of some information: what data ought we to require in an examination of any scheme?—It is somewhat difficult to say, but I will endeavour to give you something to enable you to arrive at a reliable means of getting what you want. First, you naturally want information about the catchment area. The catchment areas cannot be ascertained from any existing maps, with anything like accuracy. The maps are not prepared for the purpose, but simply to shew farm boundaries. It is essential that the catchment area should be ascertained with as near an approximation as possible. I would not advise going in for elaborate surveys, prepared in very artistic and scientific ways, but just something sufficient to guide you as to where the boundary of the watershed lies. Then you want to know the nature of the catchment area and its geological formation. You want to know what farms there are in the area which require to be expropriated or may be submerged. You want to know what water rights there are in the area. That would practically exhaust that branch. Then comes the rainfall. You would want to know what the rainfall was at different points in the area. At present the Meteorological Commission have carried out a very extensive system of observations throughout the country, but those observations are not suitable for our requirements at all, for this reason: The rain gauges are too far apart from the places; in fact, from any place where you are likely to have these catchment areas. Take Oliphant's Hoek: there the nearest rain gauge is at the farm Weltevreden or Delta, which is probably six or eight miles away. Take then the Steenbras scheme: there the nearest rain gauge is at Houw Hoek, which is eight or ten miles away.

9039. And very few observations have been taken there, I presume?—Observations have been taken at Houw Hoek for a rather long period, but I believe they are not very complete. They are, however, sufficient to form a kind of a guide. You can get them from 1894 to 1900, but for some reason or other not for 1901 and 1902.

9040. In what direction does Houw Hoek lie from the Steenbras Valley?—I believe the valley runs between Houw Hoek and Caledon, East of Houw Hoek.

9041. Would that catchment area be the area drained by the Palmiet River, or the Zonder End River?—No, I think not.

9042. Is Houw Hoek near the head waters of those rivers?—I cannot speak definitely. I have a map which I will send for, and which will guide the Commission a little in this matter.

9043. Are there any other data which you could indicate?—With regard to the catchment area, I would point out that it is essential that it should be free from population and with no possibilities of contamination. That is a most essential feature. Continuing with reference to the rainfall, the readings given by the Meteorological Commission are based upon practically monthly returns, at any rate as far as publication goes, though I daresay it is possible to get daily returns by going to considerable trouble. Again, a daily return would not suffice. You want to take the readings more frequently than once a day. There are certain districts within 50 miles of this where the rainfall immediately affects the flow in the rivers, clearly proving that 24 hours gaugings are not sufficient. The gaugings should be practically automatic all through the day; and the maximum rainfall per hour and per day, as well as the season's rainfall, should be known. You want the rainfall taken in a more minute manner than the Meteorological returns show. I do not mean to say that those returns are not reliable. They may be reliable, but they are not taken in the form required for guidance in waterworks matters.

9044. I suppose these returns are only periodic indices of the rainfall?—No, they give the actual rainfall; they are perfectly correct so far as that is concerned, but they are not based upon what is required to guide the Commission in the matter of the construction of waterworks which may cost hundreds of thousands of pounds.

9045. Anything further?—You want rough contours of the country in the area to be able to guide in the provision of reservoirs, and you also want a careful gauging of the streams. You want to gauge them on different days to find what may be the maximum and minimum flows. Then you want to know the quality of the water; in fact, the whole question is of such a complex nature that it cannot be lightly considered. These things, however, should be gone into by the Commission before they can report upon any scheme that any locality may afford,

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9046. I suppose these data have been very imperfectly worked out with reference to proposed schemes?—That is so, as far as my knowledge goes. I believe, however, that Mr. Stewart has gone more carefully into the Steenbras scheme than any other scheme that has been referred to here.

9047. I suppose that information would be practically his own, obtained at his own expense and not at the public expense?—No, I think part of it has been obtained at the expense of the Municipalities of Rondebosch and Mowbray, though part of it has been at his own expense.

9048. Data like that which you name in connection with the rainfall could not be obtained at a moment's notice. For what period of time would it be necessary to have records. Would a year's observation be sufficient?—No.

9049. Not even when augmented by such data as the Meteorological Commission would have?—You can only correlate one district with another, and that is not altogether satisfactory. Compare, for instance, Steenbras with Houw Hoek. Steenbras must naturally give a larger flow of water, and the evaporation must be less. In fact, generally speaking, you cannot compare a watershed having high mountains around it with open country at a good altitude. Generally speaking, the Meteorological Commission's rain gauges are fixed in places where they are easily accessible, near towns or in villages; and what would apply there would not apply to a mountainous area.

9050. I suppose that records would be very different, even in gauges quite a short distance apart?—Yes.

9051. The rainfall on one side of the mountain range might be very much greater than the rainfall on the other side, only five or six miles away?—That is quite possible.

9052. *Dr. Gregory.*] Altitude makes a great difference too, does it not?—Yes; then there is another point, and that is the elevation of the watershed as compared with the district to be supplied by water from it.

9053. *Chairman.*] Now, looking at the question generally, at whose instance or expense, or on whose responsibility, should such data be acquired as you have indicated. As it is now, this Commission has had brought to its attention three or four, or half-a-dozen, possible schemes of water supply, and it has to recommend, with such data as yourself and other experts require should be obtained, the most likely, one or more of the schemes. Who should bear the preliminary cost, do you think?—It is rather difficult to say.

9054. Have you any experience upon which you could found an opinion with reference to that?—I cannot recall a single instance where such peculiar circumstances arise as prevail here. In every case which I can recall, as I mentioned before, it is where a large Municipality has gone into the question, and has incurred the expense entirely by itself. I cannot recall a single case where a number of Municipalities all want to work independently of each other, taking gauges separately, and what not. It would be ridiculous for each one to be conducting its own particular scheme. Personally I think the Commission should incur the expense in trust for whatever body might ultimately take up the work.

9055. That is an idea that perhaps some members of the Commission have too; but it would necessitate the continuance of the Commission for a much longer period than its existence was contemplated for. It, however, is doubtful whether that should really affect the case if the enquiry is to be exhaustive. We must gather data sufficient to guide us, and that can only be done at some cost of time and money?—If you wait until the Commission has completed its sittings before commencing to take gaugings, you will miss the most valuable time of the year; and, if you allow two or three years to pass over, you will be in the throes of a difficulty before you have ascertained the data required to guide you in any scheme.

9056. Take such an area as has been pointed out on the map, including the Steenbras, Palmiet and Zonder End River valleys; how many observers of rain gauges will it require for an area like that?—May I take Steenbras first?

9057. Yes.—If the watershed is a long and extensive one as this is—about 24 miles——

9058. I understood the Steenbras River Valley to be 10 miles in length?—The length may be 10 miles, but the area is 24 miles, and that would be more than one man could attend to. I judge that it would require at least three men to take the gaugings over that valley alone, unless you could arrange with somebody living at hand to take some of the gaugings.

9059. What pay would men of the stamp competent to take these gaugings require?—You could not get men under £10 per month, to do such work in a place like that, and I may say the more capable man you have for such work the more

reliable will be the results. Personally, I would strongly advise that a man of much higher stamp than is usual for such work should be employed.

9060. You mean as a man to superintend the work of the others?—Yes.

9061. *Dr. Gregory.*] He would also require to be provided with a horse to cover a big area like that?—I suppose he would.

9062. *Chairman.*] The circumstances would be even more difficult, I presume, at Oliphant's Hoek, which is 34 square miles in extent?—There is a farm there where the dam is intended to be and gaugings could be taken there and for a distance of 2 or 3 miles around. Above that, however, it is very difficult country for horses, and huts might be required to accommodate the men.

9063. Generally that would be the principle upon which you would go to work?—Yes; it depends upon the nature of the watershed. It is difficult to give information applying to all.

9064. Over and above all that, you would require to have an expert to correlate all the data you had obtained?—Yes, you would require to have a rough survey to get the contours, and you would require to have gaugings of the streams and gaugings of the rainfall to enable you to arrive at a coefficient of what may be the run off from the water shed. A man, acquainted with work in connection with water works would have to be employed. I do not say that he would be required for any one single scheme, but he might take one or two of the schemes in hand and superintend both.

9065. Would the Town Council of Cape Town, in your opinion, be prepared to assist in a work of that kind?—I would not like to say.

9066. Would they be prepared to assist in any way? I came to the conclusion from what you said the other day that you might have been working at some of these schemes in connection with the Town Council?—The Council have had some communications, and to ascertain whether there is anything in these particular offers, the work of taking gaugings will have to be taken in hand.

9067. I thought that possibly the Town Council might have begun this very work that is so much required?—They are naturally alive to the interests of the town and know that they have to look out for a scheme, so that whatever decision the Commission arrive at the information will be of service to someone if not to the Cape Town Council.

(At this stage witness put in a map shewing the Steenbras, the Palmiet River, and Zonder End collecting areas, separately coloured.) *Vide* 9042.

9068. Is this map worked out from information you have received?—Yes, from returns sent me by Mr. C. Stewart, and other information.

9069. Do the colourings represent the possible catchment areas?—Yes.

9070. Is there any possibility of combining any of the areas coloured on this map?—I am not prepared to say that; in fact, I do not think so, because the flow of water is in different directions.

9071. Could any be connected by tunnel or otherwise?—I could not say without making observations.

9072. With what object have these schemes been looked upon?—Simply as possible water schemes for Cape Town.

9073. Without going into the question as to whether the water could be brought here or not?—That would be part of the enquiry, to ascertain whether the water from these watersheds could be brought to Cape Town.

9074. Then no survey has been taken of this tripartite area to lead you to any conclusion that it would be possible to make one scheme of them?—No; there must be mountain ranges between the different areas because the rivers flow in different directions.

9075. Then they are looked upon by you as being distinct sources of supply?—We are trying to see what can be made of them.

9076. Are all these areas very much occupied by farms?—I am not acquainted with the localities at all.

9077. Have you measured the extent of the land?—I know nothing about them except that this rough colouring on the map indicates broadly the extent of the schemes.

9078. May we take it that the head waters of the Palmiet River drain approximately an area of 43¾ square miles?—I am not acquainted with it.

9079. Can you tell us then who put these figures on the map?—No.

9080. In the course of your evidence the other day you said that as far as your knowledge went there were very few Water Boards in existence in England?—Very few.

9081. And you saw no reason why a Municipal Council should not undertake considerable enterprises in water works?—There is no reason whatever.

9082. And you mentioned some cases where they had been eminently successful?—There are many.

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9083. So far as I can gather, the main objection to a Town Council as a body for carrying out such works is that the personnel of the Council is not a permanent one but is constantly changing?—That can be obviated by adopting the English practice and bringing about a continuity of policy by appointing Aldermen. I do not see how you can overcome it otherwise. If you have a Water Board it is the same, that is, if the Board is to be an elective one. If they have to be re-elected every three years you have to face the fact that unless you have something to counteract the tendency of having practically a new Board every 5 or 6 years you would have to elect Aldermen.

9084. In most Councils is not the retirement by thirds?—That is so, and the rule applies to Cape Town. To-day the Cape Town Council is practically a new one. The number of Councillors on the Board is less than one-third of the men who were sitting four years ago. Two-thirds of them are new ones.

9085. The policy of the Cape Town Council, so far as water works is concerned, has shown commendable continuity, has it not?—That is so.

9086. So that the shifting *personnel* of the Council has not affected the construction of water works in this instance?—It has not affected the water question at all, nor the drainage question, but still the fact remains that it might have done. You have not the same thing as in Liverpool, Glasgow, Manchester, or Birmingham, where men devote practically their lives to one particular branch of Municipal work and see it through. Here, if a Councillor does not exactly catch the popular eye, he is apt to be thrown out, and perhaps the new man who comes in has different ideas. It is advisable that some means of keeping these questions in a progressive line should be adopted.

9087. *Dr. Gregory.*] The fact of your water construction not having suffered has been largely due to the retention on the Council of one or two men who devoted all their attention to water, like Sir John Woodhead?—That is the case.

9088. *Chairman.*] On the other hand, if you had a Board independent of the Municipality, or what might be called a Water Board, that Board would have to have its own staff, and the Municipal Council proper would require its own staff as well?—I take it so, and if you have a Water Board independent of the Municipality it means duplicating the staff without any due advantage.

9089. How far is your Water Staff now distinct from, or independent of, the other branches in the Council?—It is a separate department entirely, and I am taking that branch alone. The work has grown so enormously.

9090. Your department attends to the distribution within the Municipal area as well as to the works on the Mountain?—It attends to everything appertaining to water works in the Municipal area and Sea Point and part of Woodstock.

9091. If you had a Water Board, its officers would not come within the Municipality to attend to the distribution?—No, certainly not.

9092. And it is from that point of view that you speak of two staffs being required?—That is so

9093. If water supply was taken up as indicated by you, one staff might do the work?—Yes a staff, slightly increased from what it is now, might undertake the work. Even if the new scheme cost half a million of money or more it does not necessarily follow that there would be very much more work for the staff than before, because the work would to a great measure go on automatically. The principal question would be the supervision, to see that the work was kept in thorough order. The construction work would have to be, for the time being, independent.

9094 You told us that it would be a very good plan if Cape Town, as the premier Municipality, were to undertake the provision of large waterworks and distribute the water in bulk to the smaller Municipalities?—That is my personal opinion.

9095. Do you see any objection to the Council or a unified Municipality undertaking the work for the whole of the Municipalities generally?—That is to say, have one Council for the whole of the Municipalities to undertake this work?

9096. Yes; an united Municipality doing the whole Municipal work.—It practically amounts to the same thing. There would be no objection if the whole of the Municipalities were absorbed into one large Municipality. It is the same thing except on a larger scale. Each Municipality would then have a voice in the administration through its members on the Board.

9097. Each Municipality would sink its individuality as a Municipal unit, but its ratepayers would have a voice through its representatives on the Board?—Yes, that is what is being done in the old country.

9098. Do you know some instances of that kind?—There is the instance of Liverpool, which absorbed four large Municipalities, taking over an additional population of 150,000, and under the powers of the Bill each of those Municipalities had the right to elect a certain number of members to the Liverpool Council. Really the

City Council was enlarged to nearly double its size by taking over the members from those other districts.

9099. In what year was that done?—In 1895.

9100. By legislative action?—First of all there was a clear understanding between the Liverpool Corporation and the other Municipalities, and there was then a Bill authorising the extension of the City limits.

9101. You said the other day that, as far as you knew, the collecting area on the top of Table Mountain acquired by Cape Town amounted to some 600 acres?—I was referring to the drainage area. I did not mean by that the area acquired by the Corporation on the Mountain. The drainage or catchment area is represented by some 667 acres or thereabouts. The actual area of Table Mountain I have not got at present.

9102. And I think you said that that practically represented all the area up there that would be available?—Yes, that could be made available for Cape Town's supply.

9103. I was struck by some evidence in reading the report of the Select Committee on the Cape Town and Wynberg Water Supply Bill before the House in 1897. The then Town Engineer, Mr. Cairncross, was under examination, and this was part of the evidence:—

> "Near the junction of the Backwater and the Disa Streams you have some small streams?—Yes, they go into the Disa Stream.
>
> "What is the area from which the different streams get their water?—The area available for the Wynberg supply and by the Disa Stream down to the pipe track is close on to 1,000 acres, and the area for the Cape Town supply, that is for the Backwater streams down to the point 'R' on the map, is 910 acres."

I am referring to this point because we had a witness from Wynberg who said that in consequence of the deal in connection with this Bill by the partition of the drainage area on Table Mountain, Cape Town had practically acquired the whole, while the portion assigned to Wynberg was practically nil; in consequence of which the Wynberg Municipality had been obliged to increase their drainage area by the purchase of the farm Orange Kloof. Now you say that the Cape Town drainage area is only 667 acres?—That is to the Woodhead Reservoir. What is below that, I take it, is the amount stated by Mr. Cairncross. That 667 acres drains into the Woodhead Reservoir.

9104. There may be more drainage area then?—Perhaps below, but I do not think that it is valuable for storage purposes. There is not sufficient, as far as I can remember, suitable for a storage reservoir.

9105. Then that may be the explanation of the discrepancy?—Yes, it may be; there is a considerable area below the dams. The actual area of all Cape Town's property on Table Mountain is considerably more than 667 acres, but I cannot say how much, because I have not got the figures with me.

9106. I suppose that the area now belonging to the Cape Town Council is that assigned to them by the Act of 1887?—I suppose so, but I could not say that.

9107. *Dr. Gregory.*] In connection with what you stated in regard to the steps which should be taken for testing the capacity of a water scheme before its introduction, assuming that the Cape Town Council were agreeable, would you be prepared to render the Commission any assistance in such a matter?—Personally I would have no objection, but it is entirely a question for the Town Council to decide.

9108. Do you think it would be likely that the Council would accede to the wishes of the Commission, should we approach them in that matter?—I have no means of saying, because the matter has not been discussed by the Council. The whole of the information which I have given to you this morning has been from my own personal point of view. It is not the view of the Waterworks Committee. I have not discussed it with them at all.

9109. You said that it would be necessary to have reliable professional supervision of such preliminary observations and work?—That is so.

9110. I take it then that you would be prepared to give that provided the Commission desired it and the Council were agreeable?—I would have no objection, but it is quite competent to you to employ an outside engineer.

9111. But you have had considerable experience not only here but in England?—I have stated that. I have gone into the question and visited the sites so as to be acquainted with the particulars.

9112. Just now you said, in speaking of a separate water authority, that it would be necessary for there to be two staffs, one belonging to the authority and one belonging to each local area, to look after the distribution of the water. Do you still think that that would be really necessary; would not the staff of the Water Authority control the whole thing from the time of collection to the time of delivery?—It entirely depends

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upon what you propose to have. If an independent Water Board was given full charge of all the water schemes in the Peninsula, and was expected to find a fresh water supply, then I take it that you are going to absorb the schemes in which the Cape Town Corporation, for one, have embarked, and I do not think it would be at all fair to absorb them. On the other hand, if what the Chairman has already indicated is carried out, that is to say, if Cape Town Municipality, or a Municipality representing the others as one combined Municipality, could do it, one staff could manage the work ; but if you have a separate Water Board, independent of the Municipality, I do not see that you could work it, because you would have conflict between the bodies.

9113. In what respect ?—In the matter of opening up streets for one thing, and the control of town work. It would be said that whatever is in the town should be controlled by the town, and not by outside bodies or persons.

9114. But a private Company running a water supply, such as the Cape Suburban Waterworks Company which existed up to quite recently, were competent to deal with that supply from the time of collection to the time of distribution ?—Yes, but to-day it is a Water Board, and if the Water Board provides a new scheme, I take it that you would be ready to adopt it and pay them. You would refund what they had paid.

9115. It would be taken over at its value, and the same would be the case with the Cape Town Waterworks ?—I have never heard of a precedent for the absorption of a Municipal Waterworks. I have heard of Municipal Waterworks absorbing others, but not of a Water Board absorbing Municipal works.

9116. The Water Board would be representing the Municipalities, and amongst its members Cape Town would be represented ?—Yes, and Cape Town being the largest would have the largest voice, so that practically you would come round to Cape Town doing the work.

9117. It would come to that as far as taking over present staffs is concerned, but it would not be the Cape Town Council ; it would be the Water Board upon which the Cape Town Council would be adequately represented ?—That might be the case.

9118. Am I right in believing that your view is that Cape Town, on account of its being the larger authority and having the larger water scheme, should absorb all the others ?—I do not go quite so far as that. I would not like to say that Cape Town should absorb all the other Municipalities. I have no particular opinion upon that point, but if the Cape Town Corporation embarked on a scheme on a large scale they might be quite prepared and quite able to supply the smaller Municipalities in bulk. If, on the other hand, a large Municipality is formed, taking in the smaller Municipalities, each Municipality would then have a voice in the administration of affairs, including the Water Department. But if you had a Water Board outside that, you would have a second elective council in which the ratepayers would have a very small voice indeed. The ratepayers could elect the Council to represent them. But after that there would be the inner Council or Board for water where the representation would be very small.

9119. You would rather have direct representation ?—Yes, that is desirable. Indirect representation is a farce.

9120. But it is working in regard to the Water Board now existing in the Cape Peninsula ?—But not very satisfactorily.

9121. Apparently it is fairly satisfactory to all the bodies concerned except Woodstock, who want their own scheme ?—Is that so ?

9122. Presuming that this Board were not purely a Water Board but were charged with other large matters such as sewerage and lighting and works of that description, can you see any difficulty in it ?—You might as well have one large Corporation and have done with it.

9123. It would result in that ?—But I understand that you were arguing a separate Water Board ?

9124. Not at all, but is there anything against such a Corporation or Authority ?—Nothing whatever. It tends to have one body and not a multiplicity of them. We have sufficient boards now, and if you added to their number it would not tend to economy. To put them all in one Board would necessarily mean economy.

9125. Then the difference of opinion on the matter is really one more of terms : that is to say, whether you establish a new corporate body with representation from all the present local areas, or whether you take Cape Town as a starting point and amalgamate the other Municipalities with it and revise the constitution of Cape Town, it comes to the same thing in the end ?—Practically.

9126. You as a Cape Town Official prefer to look at it from the point of view of amalgamation with Cape Town and a re-arrangement of its constitution ?—I am taking that as being the course which has been found to work most satisfactorily in the old country, and there the larger absorbs the smaller and not the smaller the larger.

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9127. As a practical man, do you recommend this absorption by Cape Town?—Take the instance of Liverpool and the extension of that city: it was not looked upon as absorption or amalgamation, it was just regarded as an extension of the city limits, because you could not separate the interests of any of the places taken in from the interests of Liverpool.

9128. But you see, in one way of setting about it you satisfy Cape Town's sentiments and in the other way you satisfy the sentiments of the different smaller local authorities?—Sentiments will have very little sway in the matter when it is known that the ratepayers' pockets are to be benefited.

9129. *Dr. Anderson.*] Have you any experience of the working of Water Boards in England?—I have no personal experience, but I know of one or two Water Boards.

9130. There have been several cases in which Water Boards have been broken up, have there not?—Yes; they are simply formed where you cannot get the different bodies interested to agree. I remember that Derby and Leicester went fighting about the Derwent scheme. The House of Commons could not satisfy either one or the other, and so a Water Board was formed.

9131. You would object to a Water Board having control over Cape Town?—Yes. I do not think it would be right.

9132. You have a general objection to the streets and other Municipal works being interfered with by any Board or Company?—The Corporation should have complete control of everything within the Municipality, and not an outside body.

9133. That is one of the great objections to Water Companies and Gas Companies?—That is so; the tendency is everywhere to buy them out so that the Corporation can have complete control in the Borough limits.

9134. *Dr. Gregory.*] I suppose you would apply that to tramways?—It is a great pity that the tramways in Cape Town are not Corporation property.

9135. *Chairman.*] May I ask you in a general way whether you came prepared with information which we have not been fortunate enough to extract from you?—No; on the questions raised I think you have practically got all the information I had prepared. I had of course prepared it so as to meet every possible contingency, though I had occasionally to give it in a way in which I had not prepared it. For instance, you asked me a question as to what was the quantity of water per head of the Cape Town population for the dry period of the year. I had not prepared it in that particular form, but I had prepared it in another form, and it was in that way that you got it.

9136. We should be glad if, from your experience, you could supply us with any further information which would help us in our enquiry?—I will endeavour to do so, but it must be understood that the opinions I have expressed are my own personal opinions.

[Mr. Wynne-Roberts subsequently stated that the area on Table mountain under the control of the Cape Town Corporation was 491 morgen 433 square roods, or 1,042·437 acres.]

FRIDAY, 23rd MAY, 1902.

Present:

Hon. Sir Bisset Berry (*Chairman*).

Dr. A. J. Gregory.	Mr. W. E. Gurney.
Dr. A. J. Anderson.	Mr. J. E. R. de Villiers.

Mr. Herbert Peter Barrow Rigby, M.I.C.E., examined.

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9137. *Chairman.*] What is your full name, Mr. Rigby?—Herbert Peter Barrow Rigby.

9138. What are your qualifications?—Drainage Engineer of Cape Town.

9139. What are your diplomas?—Member of the Institute of Civil Engineers.

9140. When were you appointed to the position you now hold?—I came out to the Cape Town Council in 1892.

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9141. And before you came out had you much experience in drainage works?—Yes. I had a considerable amount of experience in drainage works.

9142. In England or in the Colonies, or in both?—Both in England and America.

9143. What staff have you under you in Cape Town?—That is one question which I notice upon this list. I may say on this point that the staff at the present time is hardly any criterion to go upon as regards the staff that would be required for carrying out a proper drainage scheme, because, in the first place, our main drainage scheme is practically complete, the stormwater drainage is going on,—not quite so fast as we should like it to proceed though,—but I could give you the staff that we should require when the works are going on at a reasonable rate: One Chief Engineer, three Assistant Engineers, two Surveyors, four Clerks, one Storekeeper, five Drainage Inspectors.

9144. That is reduced now to a very much smaller proportion?—It is smaller, of course, at the present time. We have now one Chief Engineer, three Assistant Engineers, one Surveyor, three Clerks, and one Store-keeper. We have, besides, a number of Drainage Inspectors, but the number of these fluctuates according to the amount of work that there is to be done.

9145. When did Cape Town begin the construction of its modern system of sewerage?—In accordance with the designs from which we have carried out the work, we commenced to construct the sewage sewers on the 28th March, 1894, and the storm-water sewers on the 17th January, 1899.

9146. How far did the plans originally given by Mr. Dunscombe enter into the works as they now stand?—I suppose you don't wish me to give you the whole history of the Dunscombe scheme.

9147. No.—As a matter of fact, the general system of sewerage was planned by Mr. Clement Dunscombe, M.I.C.E.; the main intercepting sewer and outfall was in accordance with the designs made by Mr. W. Thomas Olive, M.I.C.E.; and the storm-water drainage of the City of Cape Town now being carried out was designed by myself.

9148. Now, what was the intention with regard to the sewers proper; what were they intended to carry off?—They were intended to take away all the foul water from w.c.'s, from all urinals, kitchen wastes, and also water falling upon limited yard areas, also all ordinary sewage which would result from trade uses.

9149. And you would perhaps describe to the Commission the system of storm-water drainage which you planned generally?—Yes. Of course the storm-water drainage is entirely a separate system, and is designed to carry away all rainwater which may fall upon areas of land other than those limited yard areas to which I have already referred Practically all the water falling on the whole of the watershed on this side of Table Mountain; in other words, the whole of the watershed within the Municipality draining into Table Bay. The watershed on the other side of Kloof Nek is not dealt with in the present scheme.

9150. Are these stormwater drainage works as far advanced as the sewerage works?—No; practically the whole of the sewerage sewers are laid (about 73 miles), and only about 11 miles of stormwater sewers have been laid.

9151. And that work is going on?—Yes, the works in connection with the storm-water drainage is going on.

9152. Have you any statement to make as to the population for which these sewers were constructed or designed?—Referring to Mr. Dunscombe's report, which accompanied his preliminary design of the work, it is stated there that 51,083 persons comprised the population provided for,—that is the present population basis—(in 1891), because the ultimate population is taken at 90,000 persons. In designing the main intercepting sewer and the outfall an allowance has been made for an increase upon this ultimate population of 90,000, up to about 120,000.

9153. Does the allowance for that increase include the areas of Sea Point and Green Point?—No.

9154. Sea Point and Green Point have their own system of sewerage?—They have an entirely separate and distinct system of sewers.

9155. Now how many houses in Cape Town have been surveyed for sewerage purposes?—All those houses which require drainage have been surveyed—when I say surveyed, I mean that plans have been submitted for them. This has been done for all with the exception of perhaps half-a-dozen or a dozen.

9156. And of those how many have been connected?—All have been connected with the exception of about 20 or 30. Of course you will understand that I am not counting new buildings that are from time to time going up. In those cases drainage plans are submitted along with the plans for the buildings, and the drainage of those houses is carried out as the buildings near completion.

9157. Our object was to get an idea of how far the work had really progressed, and from what you say that seems quite satisfactory?—The sewerage part of the drainage of Cape Town is practically complete with the exception of the outfall. There are one or two lengths of street sewers still to be laid, in all about a quarter of a mile. It would be necessary to explain perhaps that the works do not include new sites and new streets which are being laid out.

9158. You told us just now the length of street that has been sewered?—Yes, 73 miles.

9159. Does that about cover the whole system of streets in Cape Town?—With the exception, of course, of those places which may be laid out hereafter. Just now new streets are being formed on the Oranjezicht Estate which is being laid out for building purposes.

9160. That main intercepting sewer, could you tell us more particulars about that? Could you tell us something more about its size, cost, and length?—The length of the main intercepting sewer proper is 18,350 feet, and it ranges in size from 24 inches in diameter to four feet six inches diameter

9161. Is the whole line of stoneware pipes?—All the portions which are over two feet diameter are constructed of concrete with inverted brick-lining, and brick arch.

9162. And the other portions?—They are constructed of glazed stoneware pipes.

9163. Could you give the Commission any idea of what the main intercepting sewer has cost?—The cost of it is about £14 per yard, if you take the total length from end to end. I ought perhaps to mention, however, that if the Commission require the cost of this work for the purpose of making a comparison, the figures would be unreliable, because in connection with our main intercepting sewer we had to drive a tunnel across Green Point Common a length of about one and a half miles at a cost alone of £35,000, which sum is of course included in the price of the construction of the whole of which I have given the cost per yard.

9164. That of course would raise the average expenditure?—Yes; take for instance the portion of the intercepting sewer which is two feet in diameter, that would only cost about £2 per yard—it is the tunnel which brings up the cost.

9165. And that four feet six inches diameter, the whole of that is included in the price?—Yes; in ordinary streets that size might cost about £4 10s per yard, but the tunnelling was the chief source of expense. The £35,000 was simply for the excavation in connection with the making of the tunnel, and not for the construction of the work inside the tunnel itself.

9166. And what length of that intercepting sewer is of two feet diameter?—About 300 feet.

9167. Where does that start from?—Sir Lowry Road at the junction of Russel Street.

9168. And it ends?—In Russel Street at the junction of Selkirk Street.

9169. And up towards Woodstock what kind of works have been put down?—Ordinary contributory sewers which converge to the main intercepting sewer.

9170. How far would it be from the end of the main intercepting sewer to the boundary of Woodstock?—About 1,000 feet.

9171. That portion of the main intercepting sewer which is two feet in diameter would, I presume, only suit the immediate neighbourhood in which it is constructed?—Yes, it is only calculated to suit that neighbourhood.

9172. It would not carry the sewage of places like Woodstock, for instance, if that area were joined on to it?—That is rather a large question, and I am afraid I could not answer it off-hand. In the first place I don't know what the population of Woodstock is, nor do I know what their arrangements are as to allowance per head per day which has been made, the system of sewage decided upon, &c. All these questions would have to be gone into before one would be in a position to say.

9173. We are putting you the question in view of the possibility of amalgamation, either by sewers being combined or by Municipalities being combined. I may say that the present population of Woodstock is estimated to be about 30,000, and it is growing very rapidly?—In designing a drainage scheme the present population cannot be relied upon alone; you must take an ultimate population for which the scheme must be designed.

9174. I am putting the question because the idea has been mooted of bringing the sewerage of Woodstock along in that direction, and of course your works have not been designed or constructed from that point of view?—Our works certainly have a limit of capacity, but of course as to whether Woodstock will be able to come in or not, I could not say. At this stage I may perhaps mention that some short time ago

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there was an application from the Town Clerk of Woodstock (who I presume wrote on behalf of the Municipal Council of Woodstock) asking the City Council of Cape Town whether it would be possible for Woodstock to connect their drainage to the Cape Town system. In reply to that application, I asked for fuller information as regards population, the quantity of drainage or sewage which is likely to be dealt with, and also information upon such other points as would be required before an Engineer could decide such a matter. They did not reply to that letter and nothing further has been heard of the subject. Of course it is possible that a portion of Woodstock, though not the whole, could be drained into the main intercepting sewer of Cape Town, but only on certain conditions.

9175. What was the date of that application from Woodstock?—The Woodstock Council applied on the 15th August, 1900, and our Council replied on the 28th August, 1900. As far as I know, we have had no reply from Woodstock to the letter we sent asking for further particulars.

9176. You contemplated at that time that a portion of Woodstock could have been sewered through Cape Town, but nothing further was done in the matter owing to the absence of the necessary data, I suppose?—Yes; at that time, if they had supplied us with the information asked for, we should have been in a position to say definitely what Cape Town would then have been prepared to do in that direction, but it does not necessarily follow that we could have taken their sewage all the same.

9177. Could much of the Woodstock sewage conveniently come along your main intercepting sewer?—A portion might possibly be gravitated into our sewer, but if the whole of the sewage of Woodstock had to be dealt with then unquestionably a very great proportion of it would have to be pumped. The point at which it would join would be Selkirk Street at the junction of Russel Street and that is very much higher than the lower portion of Woodstock. It is quite impossible to say what area of the place could be taken in without having the levels and other particulars supplied to me.

9178. And those have not been supplied to you?—No.

9179. The presumption, therefore, is that they are contemplating their own independent scheme?—So I understand.

9180. Did you do all your drainage works departmentally?—About nine-tenths of the excavating work has been done by contract, but all the permanent works have been done departmentally. Works that have been done departmentally are: Construction of sewers, importation of material, construction of manholes, and generally everything that might be laid down as permanent works has been done departmentally. Excavations and carting have been done mainly by contract.

9181. And have you experienced any extraordinary difficulties—any unforeseen difficulties—in carrying out excavations?—Not very serious ones until recently; but we have had difficulties in Cape Town, because we have had to deal with an old, obsolete system, especially in connection with the stormwater sewers. We have had a good deal of trouble in carrying out portions of the work, but we have always been able to surmount the difficulties which have arisen from time to time.

9182. How did you do house connections in Cape Town? Were they generally carried out by the Corporation, or did the private owners do them themselves?—In the majority of cases house connections were laid concurrently with the laying of the sewers in the streets. The rest of the drainage proper for the connection of the houses has been done by the private owners, except in a few cases where the work has been carried out by the Council at the request of the private owners. Of course, it was impossible in laying the main sewers to foresee the actual connections which would be required with a view to making provision at once in every case, and some of these connections have had to be done from time to time as they became necessary. All the branches which have had to be laid within the building line of the streets have been carried out by the Corporation themselves, at the expense, of course, of the owners.

9183. Have you charged the capital sum to the owner?—The actual expenses plus ten per cent. to cover wear and tear of tools and other plant.

9184. You have made no arrangements for them to pay for these connections by an extra rate?—No.

9185. Or by instalments?—There have been a few cases where the whole system of the drainage has been carried out by the Town Council at the request of owners who were not in very good circumstances. The Council have, in those cases, under the powers conferred upon them by the Cape Town Municipal Amendment Act of 1897, arranged to carry out the work, and by that arrangement the owners are allowed to pay for the work by instalments spread over a certain number of years varying from two to five years.

9186. You don't know whether the Corporation has had any bad debts under that head?—So far we have not had any bad debts in that connection. The Council have

only done work to the extent of £3,000 under these conditions, and up to the present we have received £1,180. There are still further instalments to be paid, and so far I have had no reports that there are any bad debts or likely to be any.

9187. Now then, coming to the question of the fittings in connection with houses by plumbers, have you had any trouble in that respect?—Yes, the plumbers in Cape Town were far from being up-to-date when first the sewerage works were commenced. With the exception of a very few they showed a scanty knowledge of the requirements of plumbing work, but as time went on we have been able to educate them up to a modern standard, so that at the present time we have not very much difficulty. The chief difficulty is in connection with the shady sort of plumbers who are in the habit of doing, or at least try to do, scampy work, and they try to do it in such a way that we cannot get at them; many of the house drainage systems, although at one time approved by us, have since that date been interfered with without our knowledge.

9188. Are those the private connections?—In the private drainage connections. The department does the drainage within the building line of the streets themselves, but beyond that the drainage inside the properties is done by the owners, who get the plumbers to carry out the work for them, and we have found that in some instances the drains have been tampered with. I don't mean for a moment to say that it is very general, but at the same time it has happened.

9189. Do you desire work of that kind, or any change in that respect, to be carried out under the supervision of the Corporation staff?—Of course in all cases, any work done in connection with the drainage systems of properties, should be done under the supervision of the department, and in a general way all the work is done under the supervision of the officers of the department, but if a plumber is inclined to go on with the work in connection with the drainage systems without serving the department with the proper notice then of course the department would not be aware that such work is being proceeded with. And the work may be carried out by such a plumber in a way which might upset the effectiveness of the whole system of drainage.

9190. Is there no penalty provided in your regulations for that?—Yes; the only thing is I am afraid that the regulations are not clearly enough defined in this behalf. We have had one or two cases in Court, but unfortunately we have lost them. One man was summoned for allowing his drainage to be tampered with without giving proper notice, and the result was we lost the case; the Magistrate said we should have summoned the plumber. In another case we did summon the plumber, but we lost that case because the Magistrate said we should have summoned the owner. I think the difficulty could to a very great extent be got over by licensing the plumbers here.

9191. Could you not compromise the difficulties by summoning both the defaulters?—I think the position of affairs is this that the Council have got a bit disgusted with the verdicts of some of the Magistrates in Cape Town in connnection with cases which they have had to bring before them, and our only alternative has been to keep an eye on properties where alterations or additions to drainage systems are likely to be required.

9192. *Dr. Gregory.*] Has it been your experience of such regulations elsewhere usually to include a plumber in the list of parties who are responsible if such breaches of regulations occur? Are not really the persons who own the property and who order the work to be done responsible?—As a rule yes, and the department try as far as possible to deal with the owner. But as a matter of courtesy the plumber is taken into account. Besides, as a rule the owner of property is most ignorant as regards matters of drainage, and therefore we have to deal with the plumber. Of course in a case of difficulty such as a breach of regulations, and so on, we deal with the owner.

9193. Is it usual, say, in England to include the plumber as a party who could be sued in such cases?—Not as a rule.

9194. Is there not a weakness in your regulations in this respect?—Yes; I am quite prepared to admit that, and, as I have already stated, our regulations do not clearly enough define the responsible party.

9195. I ask you that question because at the time when the regulations were framed, the Government drew attention to their weakness in this particular?—There is, I must say, a certain amount of control over the plumber, but in my opinion all plumbers and drainage contractors should be licensed in the same way as they are licensed at Home in almost all large towns.

9196. *Chairman.*] By the Corporation?—Yes.

9197. On the recommendations of their engineering staff?—Each man before he can get a license to practice as a plumber or drainage contractor must be able to prove that he is a competent man to be placed on the list. If at a later date the Council found that that man had been doing any scampy work in connection with plumbing and drainage they might strike him off the list. That seems of course rather a stringent measure, but it has had good results at Home. I may say that the plumber

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and drainage contractors who take an interest in their work, and who are desirous of arriving at the best results would be only too pleased to be licensed, and I am perfectly sure that they would be quite in accord with my opinion on that point.

9198. Are individual owners of properties not under an obligation to keep a plan of their drainage arrangements?—Not under any obligation, but they have to submit a plan before any arrangements are carried out; they have to submit a plan in duplicate to the department, and this plan is looked over by one of the inspectors who visits the site of the property. Almost invariably it becomes necessary to make additions and alterations to it, but at the same time a plan is put in which is ultimately approved by the department, one copy being kept by the department and one being given back to the owner. After the plan has been approved the work can be given out by the owner by contract or he could do it himself. In any case the work is then carried out under our supervision.

9199. You say that one of the plans is filed in your department?—Yes, one is retained by the department and one is given back to the owner. We have a plan of every system of drainage carried out in Cape Town from the time such work came under the supervision of the existing Department.

9200. Of every property?—Yes; if an owner lost his plan, as most of them do, and he wanted to know exactly what the general system of drainage was, or what the position was of his drains, then all he need do is to come to our office or to give us the name of the owner or the number of his property or of the street, and we could turn up the information for him in a few minutes.

9201. I suppose you don t care about entering into the question of finance in connection with the sewerage works?—Is that in connection with the general loans?

9202. Yes.—No; I am not quite prepared to give evidence on that point, as it is really outside my province, at all events in connection with the drainage of Cape Town.

9203. Could you inform the Commission whether the expenses in connection with the professional staff of the Cape Town Town Council have been, more or less, what would be the average in your experience in other places?—More, I should say, but it must not be forgotten that we have done fully one-half of the work departmentally, and under those circumstances we have been acting really like contractors as well as engineers, and the staff has had to be augmented accordingly. Notwithstanding that, however, I think the cost of the staff would probably only work out at about five per cent. of the whole cost.

9204. Could not the same staff have carried out larger works?—Not without further assistance.

9205. And assistance further in the same degree as the amount of work that is added to what you have now to do?—Yes.

9206. Now is your system of sewerage entirely a gravitation one?—The system is a gravitation system but from the properties in the lower part of Cape Town, starting from the Woodstock boundary and taking the area between the Bay and Selkirk Street, Sir Lowry Road, Darling Street, Castle Street and Dock Road, the sewage is pumped by Shone's ejectors.

9207. Where are the ejectors placed?—One in Newmarket Street, near Nelson Street; a second one at the corner of Newmarket Street and Stuckeris Street; a third in Tennant Street, at the corner of Sir Lowry Road, and a fourth in Riebeek Street, near Adderley Street.

9208. These are pneumatic ejectors?—Yes. They are worked by compressed air from a central station, which has been erected on the Early Morning Market grounds.

9209. That is a small proportion of your sewerage?—Yes, about 15 per cent. perhaps.

9210. Does that add very much to the cost of your management?—As a matter of fact that involves the greatest amount of cost in connection with the annual maintenance.

9211. 15 per cent. of your sewerage is lifted by those ejectors?—Yes lifted to a height of from 14 to 27 feet.

9212. What proportion would that form of the general cost of maintenance?—Over two-thirds I should say.

9213. *Dr. Gregory.*] What does that amount to?—£2,100.

9214. Is that £2,100 the whole cost or does that represent two-thirds only?—No, the total cost of management at the present time, excepting of course the amount of money paid for interest on capital and that sort of thing, is about £3,750.

9215. *Chairman.*] For management?—For the general maintenance of the sewage scheme; and the cost of pumping amounts to about £2,100.

9216. That amount is included in the £3,750?—Yes; the balance that remains of about £1,650 is for men who are going round looking after the 73 miles of sewage

system, seeing that everything is in proper order, clearing stoppages, and for general supervision.

9217. That £2,100 is purely for the lifting of the sewage from the lower level area ?—Yes, that is the actual annual cost at the present time. It would be much less of course when coal gets cheaper, but at the present time the item may be looked upon as a very heavy item owing to cost of coal, &c.

9218. That does not include plant, I suppose ?—Oh no ; plant is separate.

9219. Could you tell the Commission what the plant cost ?—About £8,000, irrespective of the buildings of course.

9220. What does that plant consist of ?—The engines which work the air compressors, the compressors, air mains, rising mains and the ejectors.

9221. You could not perhaps tell us the actual quantity of sewage that is lifted ? —About 15 per cent. of the whole. Of course the quantity of sewage would vary very much, because on a wet day like this the quantity would perhaps be three times as much as the quantity that would be lifted during dry weather flow.

9222. You have not estimated the ordinary dry weather flow ?—No ; not from these ejectors, because all questions of statistics and other details in regard to the scheme are being left to be taken out when the whole scheme has been completed.

9223. Have you any idea of what the total flow of sewage is ?—About one million gallons per day, that is the dry weather flow at the present time. This however is nothing like the ultimate dry weather flow even for an equal population.

9224. Then we may take 15 per cent. of that as being lifted ?—Yes ; it would be about that at present

9225. How do you arrive at the 15 per cent. ?—By taking the area from which sewage is pumped I don't know what it would actually come out to. These figures are only approximate.

9226. It is of importance, because the Commission may have to go into that question with reference to the other Municipalities ?—You could not make a comparison, however, because these figures do not comprise the capacity of our plant.

9227. Your plant could take more ?—Oh yes, as I said just now the flow on a wet day like this is about three times as much as it is in dry weather. And the plant is calculated to deal with a larger quantity for these lower levels. For instance, ground is being reclaimed on the beach and there are sure to be additional buildings put up which will necessitate drainage arrangements and, of course, we could pump the sewage from such areas. A reasonable additional quantity could still be taken but that would depend on the number of buildings erected.

9228. So your plant has been put down on the principle of making allowance for extension ?—Yes ; a fair amount of extension. If they were to reclaim a mile or more of the sea then, of course, the plant would not be sufficient.

9229. *Dr. Gregory.*] What is its maximum capacity ?—I could not say exactly from memory. In designing this arrangement for pumping we made an allowance for taking in certain areas which would be built over. We made an allowance for instance for certain reclamations of the foreshore of Table Bay. Approximately the proportion would be about one fourth more than the area at the present time.

9230. *Chairman.*] If the wet weather flow is three times as great as the dry weather flow it would on a day like this amount to about 450,000 gallons ?—Yes, at the present time.

9231. *Dr. Gregory.*] The maximum capacity is about 600,000 gallons ?—The total capacity of our plant is about 1,000,000 gallons per day, although the maximum amount now being pumped is probably not more than 450,000 gallons. The machinery is in duplicate, and there is only one engine going on a dry day. In fact, one engine pumps the flow on a wet day at the present time, but later on of course when the area which we have allowed for is dealt with then it will require both engines on a wet day.

9232. *Chairman.*] When Mr. Hammersley-Heenan gave evidence before the Commission he spoke about the Dock Estate going to have its sewage pumped and raised up to yours; is that being carried on now ?—No; the thing has been postponed. Nothing has been decided definitely. They are remodelling and extending their works at the Docks, and I suppose that is the reason of the delay.

9233. But they propose to do it in the form of pneumatic liftage ?—Yes.

9234. That would not interfere with your arrangements, I suppose ?—If the sewage is to be pumped up, in accordance with the arrangement suggested by Mr. Heenan, we would only agree to it on certain conditions.

9235. *Dr. Gregory.*] What would those conditions be ?—Well, I am not quite prepared to say fully off hand but one of the main conditions would be that we should require a sufficient quantity of water to be put into our main intercepting sewer

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together with the actual crude sewage that they intend to force into our main by the Liernur system. According to the Liernur system only a limited quantity of water is used, and our drainage system in Cape Town being essentially a water carriage system we might require a larger quantity of water to carry away the solids than might happen to be put into the sewers. Because if the sewage is pumped or forced into our mains by the Liernur system there would be a larger proportion of solids in comparison to liquid than there would be in the Cape Town sewage.

9236. *Chairman.*] I suppose one of his reasons for adopting the Liernur system is because of the scarcity of the water or the difficulty of obtaining a good supply?—I don't know altogether what his reasons are for favouring that system.

9237. You have not perhaps seen the Liernur system at work anywhere?—No, I have not seen it at work, but I should say that it is not absolutely necessary to see it at work in order to know pretty well what the results of its workings would be.

9238. It is not a favourite system amongst engineers?—No; it has been known about 30 years in England, and I must say the engineers don't seem to favour its adoption. The question remains to be proved as to whether the engineers at Home will favour its use.

9239. Now I think you have a separate outfall from Sea Point, have you not?—Yes, we have a separate one from Sea Point.

9240. How far are those outfalls apart?—I suppose close upon a mile.

9241. Sea Point outfall is further to the south, is it not?—It would be more to the south-west.

9242. Now, your outfall is not large enough to meet the requirements of the suburbs, say?—There again the question I say is a large one, and one which it would be impossible for me to answer without knowing what the population is or is ultimately likely to be, or what quantity of sewage would have to be dealt with.

9243. For what population has your sewer been constructed?—120,000 people. It would, of course, take more, but that is on the assumption that it is running half full.

9244. Do you mean to say half full on the population basis of 120,000 people?—Yes, wet weather flow.

9245. Then it would be more problematical still whether it would take the sewage of another 120,000 people?—It is quite certain that it would not be able to do that.

9246. You could not contemplate bringing the sewage—dry weather flow and wet weather flow—from the suburbs without entertaining the question of rebuilding the sewer?—No; not from the whole of the suburbs.

9247. Even with your 4 feet 6 inch diameter sewer?—No; we should have to enlarge the tunnel, and that would be very costly work.

9248. Almost as costly, I suppose, as making a fresh tunnel?—Yes.

9249. Besides the inconvenience of doing it?—Yes.

9250. It would become a question almost of whether it would not be better to make a new outfall altogether if it were absolutely necessary to bring the sewage from the suburbs?—Yes.

9251. Now, at your outfall are there any complaints of nuisances caused in connection with the depositing of the sewage there?—There have been one or two complaints from that locality.

9252. The outfall has not yet been completed as far as you intend to carry it?—No.

9253. How far out to sea would it be carried?—About 40 feet further than it is now.

9254. Are they at work on that portion now?—Whenever we can get at it. We have to depend entirely upon the tides, and it is in such an exposed position that the difficulty, of course, is to get out to the end of the outfall in order to be able to continue the work. We can only do this during low tides and favourable weather.

9255. What depth of water will there be at the end of the outfall during low tide?—It varies very much, where we intend to end the outfall, but I think it will probably be about 15 feet, or may be more.

9256. Are any currents observed there?—Yes, distinct currents at times.

9257. In the main is the sewage carried away rapidly?—No; not rapidly, because there are not any currents about there which have a very rapid flow; but at the same time the sewage is carried away except perhaps on very rare occasions when it seems to hang around for a short time; then perhaps in the course of an hour or two a change of tide would take it away.

9258. Is it thrown back upon the shore at all?—It is sometimes, when there is an adverse tide and an adverse wind, and when the tide is coming in, or when the wind is strong from the North-west, then it comes on to the rocks, but during the ebb of the tide it is taken out again. There is nothing really deposited there.

9259. Have any examinations been made of the bed of the sea there by divers?—Not to my knowledge, but it is not likely that there is anything being deposited on the bed of the sea because there is a good deal of scouring action and the rocks are perfectly clear.

9260. You are not depositing any sewage into Table Bay itself?—Not at present, except that there may be some from one or two connections which have been made to the Military Hospital. Owing to the exigencies of the war it has been found necessary to put up extra sheds there and a certain amount of wash water may flow from them but no actual human excrement goes down.

9261. That is a positive statement?—Yes, but I should qualify that, because I now remember that there is a certain amount coming from the Cape Government Railway property, and we are at present negotiating with the Railway Department with a view to diverting that into the general system.

9262. That would have to be pumped up?—Yes; with the exception of that, I am certain there is no sewage going into Table Bay from Cape Town.

9263. But the stormwater sewers will be discharged into Table Bay?—Yes, with the exception of those round by Green Point.

9264. And of course the introduction of sewage into the stormwater sewer would be prohibited?—Yes, no sewage whatever would go into the stormwater sewers except when there is a very heavy rain and then of course the overflow of the sewers will go into the stormwater sewers.

9265. Then you hold a very strong opinion for not discharging sewage into Table Bay?—Yes; there are strong reasons for not discharging sewage into the Bay, or rather certain portions of the Bay, and certainly no sewage should be discharged into the Bay from Cape Town itself.

9266. In what portions of the Bay could the discharge of sewage be undertaken?—I think it would be undesirable for sewage to be discharged from any point round the coast up to the North, Salt River mouth or, as it is called, the Second Salt River mouth. I am speaking now of course only in the interest of Cape Town.

9267. But now as far as Woodstock is concerned?—Well, of course, I am not prepared to give evidence on behalf of Woodstock. I have here with me Mr. Good's report and could read you extracts from it, dealing with the subject if the Commission desire me to do so.

9268. Yes; we should be glad if you would read the portions dealing with the subject?—I presume that question would bear upon the Woodstock out fall.

9269. Yes; and generally on the possibility of the foreshore of Table Bay being used for those purposes?—Yes; I will read to you extracts from the report.

9270. That is Mr. Good's report, is it not?—Yes. The report is dated the 5th March, 1895, and Mr. Good's observations extended over a period of twelve months, so that he has been able to observe the currents both in summer and in winter. He writes as follows.—

> "So far as one can generalise from all the observations taken the conditions are as follows: during the summer months and prevalence of southerly winds an indrift from the litoral current flowing to the northward past the Cape Peninsula, sets into Table Bay, past Green Point and Mouille Point at the rate of about one-half to three-quarters of knot per hour towards the Blaauwberg Beach. A portion of this current being again induced around the Breakwater into the depth of the Bay, runs at a slightly redueed rate in a southerly direction, and turning eastwards opposite Craig's Battery, and, following the trend of the shore, passes out of the Bay at a gradually increasing rate to either side of Robben Island. Much the same occurs during the winter months saving that the current enters the Bay from north-north-west, but no definite rule can be laid down as the velocity of the moving water being so small the moderate breeze will easily deflect the surface drift and to a less extent the under current, while both direction and velocity are no doubt influenced to a greater or lesser degree by the varying amount of cold water emanating from the south polar current. A difference of temperature of as much as 13 degrees Fahr. having been observed in eleven weeks and fluctuations of from 8 to 10 degrees in as many days."

Mr. Good then discusses certain diagrams in his report. I did not bring these diagrams with me as they are very complicated and it would have taken the Commission the whole day to have examined them. The report however is very clear, and after discussing these diagrams Mr. Good goes on as follows:—

> "It is however patent that during north and north-westerly gales and even moderate breezes from that direction floating matter will be spread along the

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Woodstock and Paarden Island beaches. I should here mention that my attention has been drawn to the fact that during the past winter season (1891) the north-westerly winds were much less prolonged and less violent than is usual; and that nothing in the shape of a gale from that direction occurred during the course of the investigation. I also understand that when the wind veers round to a little east of north, say north by east, the heaviest gales are experienced."

Then he goes on further in his report as follows :—

"Along the curve of the Bay from Woodstock to abreast of Robben Island no tidal influence is appreciable except perhaps as shown on certain diagrams (Mr. Good indicates certain diagrams here in his report) where the floats seem to be hung up, for a couple of hours at a time, of high water."

Mr. Good further discusses the subject of currents and goes on to say that as might be supposed the under currents are not generally so strong (in shallow water) as the surface, but they will generally show a tendency to run across and sometimes directly against the wind. What I have read is practically the gist of his report. It would appear, speaking generally, that there is absolutely no set current in Table Bay, and even when currents are found inside the Bay under certain conditions and at certain times they have such a slow rate of flow that they are almost inappreciable.

9271. Would you put in a copy of that report?—I will if the Town Council has no objection.

9272. *Dr. Gregory,*] And when you do get a current this current is affected by the north-west wind?—It would appear that most of the currents in Table Bay are affected by the prevailing winds. At times you get a current which sweeps round the Breakwater,—when I say sweep I use the word in a modified way,—and then it makes straight towards Paarden Island. A portion of it comes round the coast along the shore of the Bay and then joins the main current, if you like to call that a main current, and goes out towards Robben Island. But then there are times, as shown by these diagrams of Mr. Good's, when there will be a current running towards Paarden Island which will split up near Salt River mouth, and a portion of that will come back and go out past the Breakwater. Then in addition to that it is shown by these diagrams that the current seems to eddy round off the shore of Cape Town and off the shore of Paarden Island, and floats remain there for a certain length of time until at last the south-east wind or some other cause takes them again towards the north-east.

9273. *Chairman.*] The general tendency of your evidence would be to dissuade the Commission from recommending the discharge of crude sewage in that neigbourhood?—Certainly; I should not advise that crude sewage should be allowed to be discharged into Table Bay anywhere this side the second Salt River mouth. I am speaking entirely as an official of the Cape Town Council. It is quite possible of course that the Harbour Board would have something to say about the sewage being discharged at any point along the shore, even beyond or further north than the second Salt River month.

9274. The Harbour Board are the conservators of Table Bay, are they not?—Yes.

9275. *Dr. Gregory.*] In your opinion then if the sewage were discharged at a certain distance off, the foreshore of Cape Town might fairly be expected to remain uncontaminated?—I should be prepared to advise the Town Council of Cape Town that if sewage were discharged anywhere to the north of the second Salt River mouth that they need not fear that the shores of Table Bay within their boundary will be contaminated.

9276 *Chairman.*] But it would not be a sufficient guide for the shore beyond?—No. It would not be a sufficient guide for the shore beyond and to a certain extent, even for the shore this side. It would not be sufficient even for Paarden Island shore.

9277. With a view to extension of buildings in that direction, it would be a very doubtful expediency even to discharge beyond that point?—Certainly; assuming that Paarden Island is to be built upon, then certainly it would not be altogether a desirable thing to have an outfall at that point.

9278. I suppose it is within your knowledge that difficulties have taken place from the discharge of sewage into landlocked bays in other parts of the world?—Yes, I know of instances.

9279. Could you instance some cases specially?—As a matter of fact you need not necessarily take landlocked bays, but you may take the coasts of different countries where such coasts are closely populated by seaport towns. For instance, take almost any portion of coast in England where you get the towns coming close together,

like the Lancashire coast from Liverpool to Morecombe; there you have evidences that the shore has in places been subjected to the deposit of sewage or sewage matter not necessarily human excrement but still sewage matter.

9280. Would the same objection apply to the discharge of effluent from a septic tank or from any other form of bacteriological treatment of sewage?—Of course, it depends entirely upon the extent to which you carry the system of purification. The treatment by the septic tank only disposes of certain difficulties in regard to the sewage because the passing of the sewage through the septic tank only liquifies the solids which may be in the sewage, practically speaking.

9281. You think then that even questions of permitting the discharge of such effluent into Table Bay might arise?—That question I am afraid it would be difficult to reply to off-hand because so much depends in the first place upon the nature of the sewage and in the second place upon the length of time that the sewage is allowed to remain in the septic tank; but there is no doubt that the sewage can be purified by a bacteriological system in such a way that the effluent would be of such purity that it could with safety be turned into the Bay; there is no question about that.

9282. It would require supervision?—Oh, yes; one would require to know full particulars before one could say whether it would be a proper thing or not.

9283. Proper supervision on the part of those whose duty it is to see that the Bay is protected?—Quite so.

9284. Now touching on these bacteriological methods of treatment; have you had any experience of them or any of them?—Yes; but I am not prepared to go into a general discussion of the various bacteriological methods of sewage treatment and purification because it would involve too much of my time.

9285. Could you tell the Commission this: supposing it was intended to have for an area a bacteriological method of treatment how far should the system of sewers be designed from that point of view?—As far as the sewage sewers themselves are concerned, the only thing which would have to be carefully gone into would be the question of the quantity which would have to be dealt with by this bacteriological method. In regard to the actual laying of the sewers it would not affect them in the slightest except in regard to levels. The main intercepting sewers should be laid at such levels that the system of purification could be carried on without the necessity of pumping, as that of course would be a desirable object, but it may be found absolutely impossible to do that.

9286. You must have a gravitation system at work in order to carry out your arrangement of the septic tank, I presume, and in some cases and under some circumstances it may be necessary to pump in order to get that gravitation flow?—Yes, that is so.

9287. Where such pumping would not otherwise be required?—Not if it went out by sea outfall, but of course it depends on levels.

9288. So that the system designed for a sea outfall would have to be very materially altered if you were to interpolate a system of bacteriological treatment into that?—Not necessarily; the object, of course, is for certain reasons to keep the outfall at as high a level as possible. That would be done for many reasons—too many to go into here—and it would depend a great deal upon the topography of the ground. If your levels are not sufficient, then you require to pump even for a sea outfall. It is only a matter of carrying out the intercepting sewer on the best and most economical condition that it can be done, and having done that it becomes purely a question of what system of disposal is going to be adopted, and at what height the sewage must be discharged. There are various bacteriological methods that might be adopted which might involve the necessity of pumping. Some systems require greater difference of levels between the inlet and outlet than others, but in neither case does it amount to anything enormous.

9289. Have you any information as to the cost of working a system of that kind?—Well, you cannot make any comparison as to the cost of working bacteriological methods without proper data, because, in the first place, there are so many kinds of treatment, and in the second place it depends entirely upon the levels. If you have to pump, then that is where the expense will come in. The other expenditure is chiefly the capital cost of the construction of the works, and that of course would also vary according to the class of sewage which has to be dealt with. So that it would be impossible to give figures from which comparisons could be made. Of course there are some systems which are put in more cheaply than others. Take, for instance, the Sutton tanks. They are cheaply constructed, and, on the other hand again, you have Cameron's Septic Tank, which is a somewhat expensive arrangement.

9290. Have you any knowledge of the cost of installing Cameron's system?—No, I cannot say that I have, but details of this could be easily ascertained.

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9291. You could not tell the Commission what it would cost per annum to work the Cameron system, say for a town of 60,000 or 80,000 inhabitants?—I could not do that because there are a great many conditions that would have to be considered before giving an opinion.

9292. It is scarcely possible then to make an estimate of that kind?—Oh, it could be made.

9293. Relatively to the size of towns do you know whether that system costs more or less?—Well as I said just now you cannot very well make any comparison because take, for instance, the Cameron system, which is in use at Exeter. The sewage of that place is not what we should consider a strong sewage and the result is that it does not require to go through many contact beds before transformation into a satisfactory effluent. If you had a strong sewage then of course a greater number of contact beds would be required.

9294. Take the suburban Municipalities of Woodstock, Mowbray, Rondebosch, Claremont and Wynberg—five of them. Supposing it were found favourable that such a system as Cameron's system would have to be adopted there, could you say whether it would be cheaper for the five Municipalities to go in for it independently or to have one combined Cameron system for the lot?—That would be impossible to say now because it would depend so much on the levels. For instance, you might have the arrangement for the sewage purification works in a good position where you could receive the sewage from one or two of the Municipalities by gravitation, but then the sewage from the remaining Municipalities might require to be pumped to get it to the works, so that it becomes a question again of pumping, and this raises the cost of the annual maintenance in connection with the sewage works. It might be found desirable for two or three of the Municipalities to join together, but on the other hand it might be found cheaper for each Municipality to have its own system. The matter depends entirely upon circumstances.

9295. As far as you know any of these systems, do you see any difficulty of working them in this climate?—No; I do not see why bacteriological methods of purification should not be adopted in this country. They might necessitate certain modifications of course as compared to those in England, but I don't see any real difficulty why they should not be adopted here.

9296. *Dr. Anderson.*] You say that the present sewer outfall has been designed or the sewage of 120,000 people; on what basis do you say that?—That is assuming a total of 65 gallons per head, or 30 gallons for the water supply and 35 gallons for the rainfall per head per day.

9297. Are you acquainted with Manchester?—Yes.

9298. They have there a system of what is called "Authorised Plumbers"?—Yes.

9299. These plumbers are authorised to carry out certain work?—Yes; any man who is not on the list of authorised plumbers would not be allowed to carry out or undertake any such works.

9300. If anyone on the list did anything which would be a breach of the regulations then he would be hauled up, and his case would be heard by the Committee?—Yes; the Committee would go into the merits of the case, and if they came to the conclusion that the accusation brought by the department had been proved, and that it would be only right and proper that he should be struck off the list, they would resolve accordingly. As a rule a man would be warned for a first offence, but after that he would be struck off the list altogether.

9301. And that system you approve of?—Decidedly; and I think every plumber who has the interest of his work at heart and who is desirous of doing good work would be only too pleased if such a system were inaugurated here.

9302. Such a one as the National Registration of Plumbers in England?—Yes.

9303. Where a man who does anything in contravention of the regulations is struck off the list and not allowed to work again?—Yes.

9304. With regard to the Liernur system proposed for the Harbour Board, would the sewage from their receiving station of the system have to flow into the main sewer?—They might have their discharge from their receiver into our intercepting sewer.

9305. Could that be done by gravitation?—It is hardly likely; the Liernur system is essentially a vacuum system and the discharge into our intercepting main sewer would have to be forced up.

9306. That is to say they would have to compress it?—Yes, it would be forced somewhat on a similar principle to that used in Shone's ejector. Of course, if they take it into their receiver at a sufficient height then it would run by gravitation into our intercepting sewer.

9307. What length of pipe would that be?—About one quarter of a mile.

9308. Would there be any nuisance resulting from that?—A large proportion of solids being passed into our sewer at one point of course might have the effect of

backing up our sewerage, and a nuisance in that way might be experienced. There might not be sufficient solids to block the sewer, but at the same time it might impede the flow to a certain extent

9309. And this place in Essex where the system is being adopted the works have been put down at the expense of the Syndicate?—Yes. In fact there is no place that I know of where the Liernur system has been adopted, but what it has been put down at the expense of the Syndicate.

9310. *Chairman.*] Do they get the franchise from the Municipality?—Yes; they get a concession from the Municipality.

9311. How is it worked then? How do they get paid for it?—I believe they are allowed to levy a certain rate on the householders. At Amsterdam I believe the Liernur system was put in by the Syndicate, and certain extensions were afterwards made by the Municipality, but I believe the result of the working there is that the Amsterdam people have decided not to put in any further extensions.

9312. *Dr. Anderson.*] Do you know what the Municipality of Sea Point do with their refuse?—I believe they tip it over into the sea, at any rate the greater portion of it, to the east of their outfall.

9313. And therefore that is likely to be distributed by the action of the wind and tides?—Yes; as it is, at times we have had it come as far as our outfall.

9314. Therefore the outfall might get the credit for these things for which it is not responsible?—Yes, that is so to a certain extent.

9315. With regard to bacteriological systems a great deal depends on the design of the bacteriological treatment and upon the levels?—Yes.

9316. And, therefore, supposing you have a septic tank system and filtration system combined, the relation between the septic tank and the filtration would depend on the levels also?—Yes, the levels would have to be adjusted in order to meet the requirements of purification according to the system adopted.

9317. I suppose a difference of level of about 20 feet would be ample for the bacteriological treatment?—Yes, for a moderate sized system. It depends entirely upon the system which is adopted, as you will have to pass the sewage through a certain area of filtering material or contact beds after it has passed through the septic tank. It would depend again upon the class of contact bed which is used. You have, of course, contact beds, which, if worked on a certain principle, will carry on the purification in a greater degree than when worked on another principle. If you have 20 feet fall from your main sewer then you could adopt a system of purification by bacteriological treatment, and that might meet the requirements in places like the suburbs.

9318. *Chairman.*] I suppose every house in Cape Town has a water supply and is properly drained?—Yes, and every house requiring drainage is drained with the exception of about 20 or 30,—that is in the town proper. There are a number of houses belonging to the Harbour Board which are not drained, but I am taking those separately. Then there are the sanitary arrangements down at the station which are not properly drained, but with those two exceptions, Cape Town is entirely drained.

9319. And your system of salt water flushing is universal too?—The question refers to a matter outside my department, but there is a system in Cape Town; I don't think however the system is complete by any means. The salt water are not used as a rule for flushing the w. c.'s.

9320. It can be used?—Yes, but there are objections to using salt water for flushing purposes because it has a tendency to get the fittings into a very bad condition. The using of salt water for flushing purposes has a very deleterious effect upon the sanitary fittings.

MONDAY, 26TH MAY, 1902.

Present :

Sir W. BISSET BERRY (*Chairman*).

Mr. W. E. GURNEY.	Dr. A. J. ANDERSON.
Dr. A. J. GREGORY.	Mr. J. E. R. DE VILLIERS.

Harry Harold Scowen (Mayor), *George Powell* (Councillor), *Alfred Barnes* (Town Clerk), and *Thomas Bennett, M.I.C.E.* (Engineer), of the Kalk Bay Municipality, examined.

Messrs. *H. H. Scowen, G. Powell, A. Barnes,* and *T. Bennett.*

26th May, 1902.

9321. *Chairman.*] How long have you been resident in Kalk Bay, Mr. Powell?—(*Mr. Powell.*) Since 1883.

9322. What is your profession?—I am a general dealer.

9323. How long have you been Municipal Clerk, Mr. Barnes?—(*Mr. Barnes.*) I am now entering upon my sixth year of office.

(*Mr. Powell* now answered the questions.)

9324. What is the area of Kalk Bay?—4,000 morgen, I believe.

9325. Is not a very large portion of that commonage?—A large portion is mountain ground, but there is really no commonage and the mountain ground is really not of much value at the present time.

9326. I suppose that a large portion is used by the inhabitants for grazing purposes?—No; that is one of the things that Kalk Bay fails in: the want of commonage. The parts of the mountain that could have been used for grazing purposes have already been sold and are now in the hands of private owners.

9327. Were they sold by the Town Council?—No, by the Government.

9328. Have you any idea how much of the Municipal area is built upon?—The houses are now fairly scattered. I should think that probably about a quarter, or perhaps not quite, is occupied by houses.

9329. Is much of the land in the hands of private owners?—All the valuable land is now in the hands of private owners.

9330. Was it sold after the Town Council was constituted, or before?—It was sold before. It is some years since the Government sold land at Kalk Bay.

9331. Then the origin of your Municipality was, that the Government sold land, the people came and built on it, and then the Municipal government was set up?—No; before the Municipality came the area was under a Village Management Board. People were not satisfied with what was being done, and finally the Town Council was started. At the time it was started I was chairman of the Village Management Board.

9332. What is the population?—We have a very small permanent population, and it is hard to tell the number of people who are at any time living at Kalk Bay and Muizenberg. It is one thing one day and another thing on another day; it is always varying.

(From this period the *Town Clerk* answered the questions.)

9333. Have you any idea of the number of property owners?—There are 339 registered voters for Municipal purposes, but that would not include all the property owners under the value of £166. Probably there are about 500 property owners.

9334. The Divisional Council state that there are 344 registered voters, so that I presume you have more property owners than appear in their list?—Yes; and there will be a big increase in the present year.

9335. A considerable number of these owners are persons who come periodically to the town and are not permanently resident there?—That is so; they are nearly altogether absentee owners.

9336. What number of permanent residents are there in the Municipal area?—It is difficult to estimate. The soundest basis is that of the sanitary removals, and, reckoning an average of five persons to each pan, I estimate that we have about 3,000 in all, of which number 2,250 are European and 750 coloured.

9337. Is that the permanent population?—No.

9338. It includes the floating population as well?—Yes, at present, but in the summer time our population will be very much more than that. Still, I think you may take the figures I have given as the average population.

9339. What is the maximum summer population?—Over 4,000; I should think most probably between 4,000 and 5,000.

9340. Many are owners, who stay a few months and then vacate their premises for the rest of the year?—Yes, they spend a few months there only.

9341. What is the total valuation for municipal purposes?—£400,000.

9342. Has that been a steadily increasing valuation?—Yes.

9343. Can you give us the figures for the last few years?—In 1895 the valuation was £165,000, and, personally, I estimate that the next valuation will be a very much higher one.

9344. Is that increase due, largely, to the increased number of buildings?—Yes, to increased buildings and to sub-division of lands.

9345. The increase then is not so much due to an enhanced valuation of the same property?—The properties themselves have increased in value.

9346. *Dr. Gregory.*] In the return which you furnished to the Commission, you estimated the population at 2,500?—Yes, that was my first estimate, but on going more carefully into the matter later, I found that I could safely increase that number.

9347. To 3,000?—Yes. My previous return was based on a rough census taken by ourselves a little while ago.

9348. *Mr. Gurney.*] In the abstract of accounts furnished by you the receipts for the last five years show a total of £25,870 10s. 8d., and the payments £22,013 7s. 9d., giving a difference in favour of the receipts of £3,857 2s. 11d.?—Yes.

9349. And you started at the beginning of 1897 with a debit balance of £138 17s. 7d.?—Yes.

9350. Consequently you had a balance on the 31st December, 1901, of £3,718 5s. 4d.?—Yes.

9351. And in your statement of assets and liabilities you show that out of that amount £473 2s. 3d. is standing to credit of proceeds from sale of land, &c.?—Yes.

9352. And the remaining £3,245 3s. 1d. is standing as general credit?—That is so.

9353. From that it is evident, and also from the other accounts which you have rendered, that you carefully keep separate the sale of Municipal lands from the general Municipal account?—We are strict on that point.

9354. You have given us a return showing proceeds of sales of land as £5,894, but your abstract only shows the actual receipts as £5,524 19s. 5d., differing by some £370 from the other return?—That has been wrongly posted.

9355. So that the item figuring in the cash account as sale of Municipal lands is over £300 less than the amount shown?—Exactly. The nett sum is only posted from the cash book, the gross sum should have been posted.

9356. Turning to the other side of the account you will see that the abstract shows expenditure from proceeds of sale of Municipal lands as £5,050 6s.?—Yes

9357. But you also give us a return of amounts paid from proceeds of the sale of lands as £5,420 17s. 9d.?—Yes.

9358. You will see there is a slight difference?—It is the same matter of posting the nett sum only.

9359. You have raised apparently four loans?—Yes.

9360. That includes the old sanitary loan of 1895, which is repayable in half-yearly instalments?—Yes; and of that amount £547 17s. 8d. is still outstanding.

9361. Of the three other loans there is one of £20,000 raised in 1898 at 4½ per cent., and another of £6,000 raised in 1899 at 5 per cent.?—Yes, those are water works loans.

9362. And there is a further loan of £9,000 raised last November?—Yes, at 5 per cent.

9363. With reference to the first of these loans, the Government Sanitary Loan of £650, did you not take that over from the old Village Board?—No, it was raised by the Council and was, I believe, the first transaction of the Council. It was for the purpose of plant and sanitary pails.

9364. The third loan of £9,000 was for the purpose of Municipal offices and the erection of stables and workmen's cottages, construction of roads, &c.?—Yes.

9365. Have you any Sinking Fund in connection with these loans?—No; we have no Sinking Fund as yet, with the exception of that in connection with the Government Sanitary Loan. All the other loans are repayable at the same time—the 30th June, 1908.

9366. I understand that you have spent the whole of the £26,000 raised in the first two loans for waterworks?—Yes.

9367. But have you spent the whole of the £9,000?—We have practically spent it all now. When the returns which I have given you were made out it had not all been spent.

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9368. Has the Municipality had the question of the establishment of a Sinking Fund before it in any way?—It has been talked over by the Council, but not officially. There is nothing in my minutes with reference to it.

9369. No official action has been taken?—No.

9370. In selling Municipal lands, have you always had a distinct understanding at the time of sale as to how the proceeds were to be spent?—Yes; we obtain the sanction of the Government and notify how the proceeds will be devoted, and that has always been adhered to.

9371. It has not always been adhered to in that you have spent even more on the particular works mentioned than the sales have brought you in?—Yes; but the people would contribute on a *pro rata* share.

9372. The Kalk Bay Municipality has never lent itself to using any of these proceeds of land sales to supplement the ordinary rates?—No, with the exception of one little item of £36, against which there is a very big sum on the other side.

9373. Everything else has been actually authorised by Government?—Yes, all the other expenditure.

9374. You had some expenditure on police a little while ago—1900-1901?—Yes; but now the Government has relieved us of that charge.

9375. What has been the expenditure which is described as "lighting"?—The expenditure on street lamps?

9376. Paraffin lamps?—Yes, oil lamps.

9377. I see that in 1891 there is an expenditure of £547 1s. 8d. on Plague account?—Yes; that is extra Municipal expenditure and is not included in what we have received from the Government.

9378. You have obtained a large refund from the Government?—We have obtained one half of what we have spent.

9379. Then does this £547 represent the balance chargeable to the Municipality?—Yes.

9380. Can you tell us about what amount you received from the Government?—About £500 or £600, nearly £600.

9381. That would be more than the amount you have set down here?—No; the amount charged to the Municipality would be the higher one.

9382. Can you remember the exact amount which the Government paid to you?—I know that one cheque was for £493, and the other was for £100 or more. I cannot remember exactly.

9383. But that would be more than half surely?—No, they only paid us one half. I will look into the matter and let you know more definitely.

9384. And you say that your borrowing powers amount now to £24,013?—Yes.

9385. On what basis do you work out these borrowing powers?—The total revenue of the Municipality, including water.

9386. And including the sale of Municipal lands?—No.

9387. Is that taken for last year, or for 1900?—It would be for the year ending 31st December, 1901.

9388. In your asset and liability statement you show plant, some purchased from the Municipal revenue and some from the Sanitary Loan of £650, making a total value of £1,640. On what basis do you arrive at that figure? Is it actual expenditure or is it a valuation?—It is the expenditure on all the plant purchased.

9389. Have you written anything off for depreciation?—Yes, during the past three years we have written off amounts for depreciation.

9390. I see an item in your abstract of £668 10s. 1d. written off for depreciation between 1898 and 1901?—Yes; that is written off as depreciation on plant and buildings. One of the items includes a corrugated iron building in which the iron work was worn out. The place was not worth pulling down, so practically the whole amount of its cost was written off as depreciation.

9391. Do you consider that your item in the statement of assets of £1,640 for plant fairly represents the value at the present time?—Yes, we have plant to that value.

9392. You have also an item in your assets of £825 15s. for live stock; is that an actual valuation of the mules and horses in your possession?—Yes; I consider that a valuation. Some of our animals were purchased about 18 months ago at a lower figure than they would now fetch.

9393. You estimate the value of your municipal office and ground at £3,000?—Yes; that is the purchase price, and I think the property is at present worth that amount.

9394. Then may we take it that your municipal assets are set down at well within their value?—You may.

9395. I see you enter your Municipal Waterworks at £26,000?—Yes; that is actual cost.

9396. Have you gone into the question at all as to how far your waterworks are at present contributing towards the interest on the loan raised?—Of course we are working at a loss, but within another 12 months we will be in a better position. At first there were very few houses which took the water, but now they are increasing year by year.

9397. You are working at a loss in addition to paying the interest on the loan?—Yes.

9398. But the water is such an advantage to the Municipality, I take it, that the Council are perfectly prepared to face some slight loss at the start?—Yes.

9399. Without putting any questions about valuation generally, I would like to hear from you in what form you get your valuation roll?—Last time we got it in book form.

9400. Were the values of the properties added up and a total certified to?—No; we had to add up the amounts and then, after the Valuation Court, the total was certified to.

9401. By whom?—By the Mayor, as Chairman of the Valuation Court.

9402. So that after this certificate no alteration could take place in the Municipal office without the total being upset?—That is so: the alterations were all initialled also.

9403. *Dr. Anderson.*] With respect to the two Water Works loans repayable on the 30th June, 1908, I suppose you have not been able to make any arrangements towards redemption?—None; but it is intended to prepare for that.

9404. *Chairman.*] On the subject of water and water schemes, how are you off for water?—(*Mr. Powell.*) I think we have plenty of water and a means of providing for more.

9405. You have a storage reservoir at the present time?—Yes; it is built of concrete.

9406. How much water does it hold?—About 18,000,000 gallons.

9407. That is not the tank of 40 feet square which is spoken of?—(*Clerk.*) No; the tank holds about 90,000 gallons.

9408. Where does the water come from that fills that reservoir?—From the mountains at the back of Tokai.

9409. Is the storage reservoir the work that the £26,000 was spent upon?—The £26,000 was spent in building both reservoirs and in laying the pipe track.

9410. What did I understand was the capacity of the storage reservoir?—18,000,000 gallons, but it can be increased to 140,000,000 at a comparatively nominal expenditure.

9411. How much?—(*Mr. Powell.*) It is estimated that by spending another £25,000 the capacity of the reservoir could be increased to 140,000,000 or perhaps more.

9412. How far is the storage reservoir from the service reservoir?—Five miles.

9413. What is the size of your supply pipe?—(*Clerk.*) It varies in size; near the reservoir it is 6 inches; then for a long distance it is 4 inches, and for the last half mile or so it is 3 inches in diameter. The bulk of the pipe is 4 inches in diameter.

9414. Is the collecting area within the boundary of the Municipality?—The boundary was extended for the purpose of taking in the catchment area.

9415. Is the site of the reservoir on the side of the mountain?—It is between two mountains at the back of Tokai.

9416. Is it near Noord Hoek?—No; it is far away from Noord Hoek.

9417. Have you not been purchasing water rights at Noord Hoek?—We purchased certain riparian rights which were claimed by a farmer at Silvermine.

(At this period the *Mayor* and *Mr. Bennett* entered the room.)

9418. Will you, as engineer for Kalk Bay, Mr. Bennett, give us some general idea of its waterworks?—(*Mr. Bennett.*)—I may say that I am a Civil Engineer and a member of the Institute. I was the engineer and manager of the Suburban District Water Works from 1893 until February of this year. I was sent out by the London Board to take charge of those Water Works, and up to the time of their being taken over by the suburban Municipalities, I continued as manager. Since that time I have been Municipal Engineer to Kalk Bay and Muizenberg. I have had upwards of 30 years' experience in Municipal and Public Works of various kinds, including drainage, water works, and other works. I am now engaged on a survey for the designing of a scheme for the draining of the whole of Kalk Bay district. We have the matter now in hand, and we hope to have the plans ready in a month or six

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weeks. We are pushing them forward as quickly as possible. The water supply, as I daresay has been told to the Commission, was first brought to the ratepayers in 1900. The storage reservoir contains 18,000,000 gallons, and there is a service reservoir to contain 100,000 gallons. The top water level of the storage reservoir is 1,485 feet above the sea level and the surface area of the water is equal to 8½ acres. By raising the dam wall about 25 feet more and expending about £25,000, the reservoir thus made would give a supply of 520,000 gallons per day for 5 months. The reservoir itself would contain about 140,000,000 gallons. I may say that these works were originally designed by Mr. Thomas Stewart, and the dam was prepared so that at some future time its height could be increased without very great additional expense. If £25,000 extra was spent on giving this increased capacity the water would cost about £370 per 1,000,000 gallons, as against from £2,000 down to something over £400 per million gallons of the other water supplies in the Peninsula. In that way the Kalk Bay Municipality has a special advantage over some of the other Municipalities.

9419. What is the catchment area from which you get the water that you store?—I am not quite in a position to say that definitely, but it is a large area and the water is constantly overflowing at the reservoir.

9420. Is the area fenced in?—Yes, I believe there are about 7 miles of wire fencing.

9421. I suppose the water does not obtain that vegetable colouring matter which is stated to be one of its characters in the reservoirs?—That is a matter which the Council are now taking in hand. We intend to construct filter beds as soon as we are in a position to do so. We have an excellent position for them and they can be constructed at practically a nominal cost?—I think about £2,500.

9422. I suppose they would be interposed between the storage reservoir and the service reservoir?—Yes; that is the intention.

9423. You estimate that the present catchment area will be sufficient to fill the storage reservoir when it is enlarged?—Yes.

9424. At present you have a supply sufficient for the population?—Yes, more than they require. As a matter of fact there are thousands of gallons running to waste every day.

9425. So that at present there is no immediate necessity for enlarging the reservoir?—No.

9426. Do you distribute the water to the inhabitants by meter, or how?—A meter is used for large consumers, but for ordinary consumers the rateable value is taken as a basis of charge.

9427. Are the ordinary consumers supplied on the dribble system?—There are no dribbles at Muizenberg. Everybody takes the water direct from the mains at high pressure. There is no tank used.

9428. Do they then take as much as they want?—Yes.

9429. We had a witness from Simon's Town, who told us that the people of that town were a little exercised about the water from Noord Hoek. They had been anxious to get water from that direction, but on making inquiries they came to the opinion that Kalk Bay had forestalled them in the matter?—That is prior to my coming to the Municipality. It is a matter that I really know nothing about.

9430. Can you tell us anything about it, Mr. Mayor?—(*The Mayor.*) It is with reference to the water rights on the farm Silvermine. We have had litigation about the matter. In fact, ever since we started building our reservoir there has been trouble. The owner of the farm thought that he had a servitude over the water. Finally we came to an agreement with him, and he sold us his water rights for £300.

9431. Do you use that water now?—We have never yet been able to use all the water we could get. It has always been overflowing at the reservoir. I believe there was only one period, of a few weeks in a very dry season, that we had to draw upon the reservoir proper.

9432. What then was your object in acquiring the rights of Silvermine?—It is the overflow from our reservoir that runs down to Silvermine. It was that water which used to run to Silvermine that we took when the reservoir was built.

9433. What was the owner's name?—Mr. Kirsten.

9434. Did he complain when you built the reservoir that you had stopped his water supply?—Yes, and that has been going on for the last three years, so to finish the matter he agreed to hand over the full rights to all the water from that stream that passed over his farm.

9435. Then the water naturally runs that way?—Yes, we did not divert it.

9436. Do you require all this water?—No; but supposing that there had been no overflow from our reservoir, the owner of Silvermine might have been able to compel us to supply him with water from the stream which runs into our reservoir. Now that we have made an agreement he cannot do this. We have full rights. (*Mr. Powell.*) We

have not bought all the water on Silvermine. He has any amount of water there still. It is quite open to Simonstown to buy water there still.

9437. Are there any other persons who claim riparian rights at that place?—(*The Mayor.*) No; but I believe that recently a few acres have been sold to a Mr. Van der Poel, but that does not affect Kalk Bay's rights in any way.

9438. Could the water at Mr. Kirsten's farm be taken to Simonstown?—(*Mr. Bennett.*) I am not certain about the levels. Personally I think it might, but at very considerable expense.

9439. The distance from Kalk Bay is about 8 or 10 miles, is it not?—(*The Mayor.*) No; not so much, about 5 or 6 miles.

9440. Is your storage reservoir nearer to Simonstown than that?—No; it is further away.

9441. How far do you carry your pipes?—(*Mr. Bennett.*) We have a main extending as far as Fish Hoek. That is the extreme boundary of the Kalk Bay Municipality on that side.

9442. What is the pressure of water there?—About 130 lbs. We have a 1,450 feet head of water, so that over the whole district the pressure varies between 120 and 130 lbs.

9443. You appear to be very favourably situated?—We are very favourably situated. At present our position is the best in the whole Peninsula; of that there can be no doubt.

9444. Would it be possible for you to supply Simonstown from your storage reservoir?—There would be no difficulty; it is just a question of expense.

9445. And there is plenty of water to supply Simonstown as well as Kalk Bay?—Yes, we could get the water by raising the dam wall.

9446. Is there water all the year round?—Yes, the whole year round.

9447. How far is your reservoir from Simonstown?—(*Mr. Powell.*) Straight across country it is only about 6 or 7 miles, but we carry our pipes in a roundabout direction.

9448. Would it be possible for any arrangements to be entered into between Simonstown and Kalk Bay for a combined water supply?—(*The Mayor.*) Their late Mayor, Mr. Runciman, approached me on this subject some time back; but I said that unless they could put something tangible before us as to what they required and what they were prepared to do in the matter of either paying for it or assisting us with money for raising the wall of the dam, we could take no steps. The matter afterwards fell through. I believe the Admiralty were blocking the way. At any rate, we heard nothing further about it. Then Mr. Runciman resigned his seat as Mayor, and since then no communications have passed on the subject. I might say that we are quite prepared to deal with them.

9448 (a). Would you entertain the plan of supplying water to Simonstown in bulk, or would you rather that they should assist you with money to enable you to store a greater quantity of water and they share in the result?—I could not say at present. There are more ways than one of looking at the question. We must in the first place think about our own borrowing powers and whether they would be sufficient to enable us to raise enough money to build the wall higher.

9449. Have you, as engineer, Mr. Bennett, any doubt as to the quantity of the water?—(*Mr. Bennett.*) None whatever.

9450. Does it run all the year round?—All the year round.

9451. You could store practically any amount of water?—Yes, it is only a question of raising the dam.

9452. When you stated the amount of 140,000,000 gallons, did you consider that that was the limit to which you could carry the storage capacity of your reservoir?—I think we could give rather more than that, but the dam was prepared with the intention of at some future time holding that quantity. Still I have no doubt whatever that we could increase that capacity very considerably. It is really a question of expense. There is no reason why there should not be a series of reservoirs in a similar manner to the Cape Town reservoirs, one above the other. We have a sufficient area and sufficient fall in every way. I think that the position, as far as Kalk Bay is concerned, is practically unique in the Peninsula.

9453. You could not bring the water in the direction of Cape Town, I presume?—Oh, yes, it could be done; the water level is higher above the sea than either Steenbras or Oliphant's Hoek, and the distance is very considerably shorter.

9454. You cannot give us any idea as to how much water could really be stored there, I presume?—Not without going into the matter much more carefully than I have done so far.

9455. Do you really think it is a point that might be considered by the Commission, how far this area might be utilised to yield additional supply for the Penin-

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sula?—It would be a matter of interest, certainly. I think that it might be considered without any disadvantage.

9456. Would the whole area have to be surveyed, in the first instance?—I could give the area at a very short period. It has been surveyed, but I have not got the exact figures with me at the moment.

9457. Could not the catchment area be enlarged? Is there more land available or not?—I would not like to venture an opinion on a matter of that kind without going personally into it. (*Mr. Powell.*) The catchment area has been fenced in by the Municipality. It is a huge hollow in the mountains, and the tops of the mountains have been fenced in.

9458. Then have you practically the whole available catchment?—Yes.

9459. You say, Mr. Bennett, that the area has been surveyed?—(*Mr. Bennett.*) Yes, and I believe that it is roughly from 18 to 20 miles in extent.

9460. Can you give us the average rainfall?—I am not aware of it.

9461. I suppose that the rainfall on Table Mountain would practically govern it?—Yes, I think so. (*The Mayor.*) The records of the rainfall are at Mr. Thomas Stewart's office.

9462. Have you got rain gauges?—Yes.

9463. Are observations regularly taken?—(*The Clerk.*) A Municipal employé collects that information.

9464. So that you have the records in your office?—Yes.

9465. How long have you had these guages?—(*The Mayor.*) We have had them for three years.

9466. *Dr. Gregory.*] There was one point about your evidence in regard to water works which I wanted to speak about. Your expenditure exceeds your revenue, but you hope next year to make matters balance?—We hope so.

9467. Have you compulsory powers over every house to take water?—No.

9468. I suppose that is your difficulty in making ends meet?—(*Mr. Powell.*) It was feared at the time that the Bill was first brought forward that if that compulsory power was included it would be thrown out altogether, so it was not put in. There is now no difficulty in getting people to connect. The trouble has passed over.

9469. But is it not a fact that a large number of householders continue to take water from springs and wells?—A few of them do.

9470. And, therefore, you are not getting the full revenue from your waterworks that you should be getting?—I think all the householders should take the Municipal water.

9471. *Dr. Anderson.*] Have you any gaugings of the water you could get from the catchment area?—(*Mr. Bennett.*) We can give you the amount of water which is overflowing. We have a record of that.

9472. You have kept records?—Yes, we have.

9473. You talk about supplying Simonstown. What is the size of your main going to Fish Hoek?—It would necessitate the re-laying of a considerable portion of our main if Simonstown were to be supplied. Right down the main road to the end of Kalk Bay we have a 4-inch main and beyond that to the boundary of Fish Hoek a 3-inch main.

9474. But what size of main would you require to take water to Simonstown?—Having regard to the pressure I should say that a 6-inch main would serve our purpose.

9475. That would necessitate laying a new main for practically the whole distance?—That is, practically, what it would amount to.

9476. *Chairman.*] The records of overflow which you promised to put in will, I presume, shew the full amount of water now running to waste?—Yes.

9477. Does your record extend over some years?—Since the establishment of the waterworks.

9478. Does all this water flow through the storage reservoir?—No, we have a considerable quantity that passes down without going into the reservoir at all.

9479. Will your records give that quantity as well?—Yes, I think they will. We have a series of gauges.

9480. With a reasonable increase in your works, could that water be diverted into your storage reservoir as well?—Yes; we can send it into the service reservoir independent of its going into the storage reservoir. As a matter of fact we do that. I may say that practically we have 18,000,000 gallons lying idle.

9481. Would proper filtration remove that colouring matter from the water?—I am conducting a series of experiments, and I may say I have been exceedingly successful in removing this colouring matter. The result is perhaps not quite so bright as Albion Spring water, but it is getting on that way.

9482. Is the colouring due to decaying vegetable matter?—It is the dye from the palmiet roots and the peat.

9483. Is it palmiet in a state of decomposition that causes the discolouration?—I think it is the nature of the plant itself. I have really never analysed it. It is a matter that can be dealt with I have no doubt whatever. I may say that we have been very successful in the matter, and I shall be pleased to submit samples of the water.

9484. There is a similar colouring in the water from the reservoirs on Table Mountain, is there not?—Yes.

9485. A sand filter well constructed would have some influence on the colouring in the water, would it not?—Yes. I think so; there are several useful filtering media.

9486. As far as you have been able to notice, the water does not turn bad when kept?—No, that is not my experience.

9487. Not even when kept in the house in hot weather?—No.

9488. You have not done much in the way of drainage at Kalk Bay, have you?—Not up to the present, but we are now busy with the surveys for a drainage scheme for the whole Municipal area.

9489. Do you propose to drain into the sea?—I cannot answer that question now, because the survey is not completed. It will depend entirely upon the result of the survey. But I do not think that we shall put the crude sewage into the sea.

9490. Have you made any observations as to the set of the currents in False Bay?—They are now going on. The various parts are being carefully examined because we know how injurious the idea of unfiltered sewage being cast up on the beach would be with the intending visitors at a health resort like Muizenberg.

9491. At present the sanitation is carried on by a collecting system?—Yes, by the tub system.

9492. That is done, I presume, by the Municipality?—Yes, and the matter is properly buried.

9493. How is the work done—by contractors?—No, departmentally.

9494. Do I understand that the cost of the removal of the night soil is £456 per annum?—(*The Clerk.*) That would be for wages alone.

9495. What then is the total cost of night soil removal?—For 1901 the cost to the Municipality was £515.

9496. Do you make a charge to the householders in respect of this removal?—Yes; we have no tenants' rate in the Municipality and so the Council decided to fix a charge for removals, and now there is a compulsory charge of 1s. per pail per week. (*Mr. Powell.*) But coloured people are only charged 6d.

9497. I see by your accounts that the cost under the head of Sanitary Works was £2,085 during the year 1901?—That includes the cost of scavenging as well.

9498. I suppose that is for all the sanitation?—Yes; that is a rough calculation of the total cost.

9499. What is the direct revenue?—Just the amount collected from the number of pails removed.

9500. And you received as revenue £1,182 12s. 6d.?—Yes. I worked it out in that form to give some idea as to cost for consideration in connection with the drainage scheme.

9501. The whole of your sanitary work last year was, according to the balance sheet, carried out with a deficit of some £800?—Yes.

9502. What is done with the collections?—The night soil is buried; the slop water is put through pipes into the sea at certain outfalls, and the household refuse is burnt and the remains are buried.

9503. Where are the night soil tubs emptied?—At present on private ground, but next year it will be on Municipal ground. We have a contract with a farmer to allow the night soil to be buried on his land, but recently the Council have built a bridge across the mouth of the Vlei and the night soil can now go on to Municipal ground.

9504. Do you pay the farmer?—No; he gets the night soil and uses it, and we have the right to his ground for stables and that kind of thing.

9505. *Dr. Gregory.*] A drainage scheme is most urgently necessary, is it not?—(*The Mayor.*) It is.

9506. At the present you have a considerable amount of slop water running into the stormwater drains, have you not?—Yes, bath water, but bath water only, except into the drains constructed for the purpose of taking the slop water right into the sea.

9507. How many such drains are there?—Eight or nine, I believe.

9508. Have the Council considered the expediency of closing these drains?—Not until we have a drainage scheme.

9509. How long will your drainage scheme take to carry out?—I hope to see it working within two years. It will be done in sections, and as soon as the preliminary

plans are completed we shall advertise for tenders, and there is no doubt some sections of the scheme ought to be in working order within two years.

9510. You have not, Mr. Bennett, decided upon an outfall for your sewage yet, but you have ideas for possible outfalls in your mind, perhaps?—(*Mr. Bennett.*) I have an idea, it is only an idea, that we can take it right along much beyond the proposed cemetery ground. The gradients are very low, as everybody is aware, and, possibly, we may have to pump a certain section. We may have to treat it by septic tanks, or by some other method, but if the land is as suitable as the land at Fig Kraal, where Ohlsson's Brewery sewage is treated, we may treat it on the farm.

9511. That would certainly entail pumping?—Yes, Ohlsson's Brewery sewage is pumped for nearly 8 miles. They accumulate it at Newlands and then pump it right away.

9512. How many gallons are dealt with daily there?—From 50,000 to 60,000 gallons per day.

9513. What does it cost in pumping?—About 2¼d. per thousand gallons.

9514. How many thousand gallons do you anticipate at Kalk Bay?—That depends entirely upon the number of inhabitants, but we calculate on an average between 20,000 and 25,000 gallons per day.

9515. Will you tell us what are your possible outfalls?—We might get one at Kalk Bay and pump the sewage direct into the sea, but I would not recommend that, without careful enquiry into the set of the currents. I have been carefully watching, and I find that on Muizenberg beach during the prevailing winds there are, in some cases, pieces of candle, cabbages, potatoes, and the other day I came across a man-of-war's man's hat that had washed up. It had come from Simonstown. We shall do nothing without careful observations of the currents.

9516. Is there any possibility of bringing the sewage in the other direction—Constantia way?—The land towards Retreat is very low lying. It is one of the lowest parts of the whole district. We have not gone beyond our present boundary with our surveys, but it must be very low as the Vlei shews.

9517. Then you seem inclined to drain out in the direction of Zandfontein?—Yes.

9518. And you will have to pump and probably have to employ some bacteriological system of dealing with your effluent?—Either that or filtration through the land.

9519. Would it be possible to combine with Wynberg in your drainage scheme?—It might be possible, but it would be scarcely advisable. The area between Wynberg and Kalk Bay is a very large one, and our area at present is large enough.

9520. Are you aware that Wynberg intends draining into Princess Vlei?—I believe that is so.

9521. That is one of a series of vleis that come up to your Municipality, is it not?—I believe it is. (*The Mayor.*) Yes; and there is supposed to be an underground communication between Princess Vlei and Zand Vlei and also Zeekoe Vlei.

9522. So that if Wynberg's system was an unsatisfactory one it would affect your Municipality?—(*Mr. Bennett.*) It would to a certain extent, and if it did they would have to join us in some way.

9523. In your possible outfall beyond Zandfontein, could it not be used as the outfall for the Wynberg Municipality too?—It might, but I would not like to give an answer without considering the question from an engineering point of view.

9524. As the engineer of an adjoining Municipality, do you not think it would be advisable for you to consider the drainage proposals of the Wynberg Municipality with a view to seeing how they fit in with the Kalk Bay drainage scheme, and with a view to the protection if necessary of the Kalk Bay inhabitants?—I think that when the proper time arrives it will be advisable to do so.

9525. Has not the time arrived to do so before you have a proper scheme of your own?—In one way it has arrived, but until now we have had no direct information as to the outfall of the Wynberg scheme.

9526. But in view of Kalk Bay and Muizenberg being probably very much interested in the disposal of the Wynberg drainage, especially as your boundaries will no doubt be one day conterminous, your Municipality should have some information upon the matter?—That is so; there is no doubt that, in the interests of the ratepayers of Kalk Bay, it would be the duty of the Council to inquire very carefully into that matter.

9527. As the case stands at present your Town Council have no legal right to demand this information from the Wynberg Municipality?—No; it would only be as a matter of courtesy if they gave it to us.

9528. Are you not of opinion that there should be some combined control over these matters for the whole Peninsula, so that it could not be possible for any local authority to jeopardise the interests of another local authority by carrying out any unsatisfactory scheme?—That has been my opinion for years; and I think the best thing

would be the establishment of a Local Government Board, on the same lines as the Local Government Board at home. There it controls the whole of these matters from one end of the kingdom to the other.

9529. At present you are aware that the Government may be consulted in these matters under certain circumstances?—But the Government do not control the matter in the same way as the Local Government Board at home, especially in sanitary matters.

9530. The Local Government Board at home never sanctions any scheme without an enquiry conducted on the spot?—No; when application is made by a local authority for a loan for carrying out a scheme of any kind, they have to submit the whole of their plans and estimates to the Local Government Board and there these papers are gone into by an advisory staff. An inspector holds a public enquiry in the locality, and if the Local Government Board decide that the money ought to be advanced they will probably advance one half of the required amount, and when that money is spent they hold another enquiry, upon application for a further loan, and if they find that the other money has been properly spent they do not withhold their sanction for the raising of the rest of the money that is required. They never advise as to the construction of the works except under special conditions, but they have full control over the whole of the spending power. They prefer that the work should be carried out by the local authorities. They do not want to supersede their powers in any way, but they have the control of the money.

9531. *Chairman.*] Do you consider that a general supervision should be exercised in the Peninsula by a Government body on similar lines to the Local Government Board, but rather an elective body, so that any proposed sewage scheme should be such as would work in with a scheme for the remaining areas?—I think that an elective body, subject to the control of the Government, advised by their professional staff, would to a great extent be an improvement. But I would not have an elective body to have entire control in the matter. The body must have some power from Parliament or the Government.

9532. *Dr. Gregory.*] In regard to your proposed outfall into the sea, do you not think that it would meet with very strenuous opposition judging by the opposition which has been raised by the proposed temporary stormwater drain?—I do not think so if they are sensible people.

9533. But is it not a fact that you are getting strenuous opposition to the proposed stormwater drain for carrying away the water that comes from the mountain near Farmer Peck's hotel?—That is so.

9534. And if you have all that opposition in regard to a mere stormwater drain, would there not be a very much more serious opposition to putting ordinary sewage into the sea?—I do not think there would be any difficulty if the matter is properly ventilated. I do not consider that there should be any difficulty. If we decided to put the crude sewage into the sea the outfall would be so far from any habitation that there could not be any ill effects. We, however, may decide to deal with the sewage before putting it into the sea so that there would be only the effluent to consider.

9535. How far beyond Zandfontein do you mean to put it into the sea?—We are carefully watching the currents and we find that there is a tendency for things to drift that way.

9536. How many miles approximately beyond Muizenberg?—Between three and four miles.

9537. Would it be possible, if you put the crude sewage into the sea and the currents were favourable for carrying it away from Kalk Bay and Muizenberg, for it to become a nuisance by washing on to the shore at Somerset Strand?—I do not think so; the distance is too great. (*The Mayor.*) The currents set in from Cape Hangklip and go around the Island and then into the centre of the Bay, by way of Simonstown and that district, depositing everything into the centre of the Bay.

9538. How then do you get things washed up at Zandfontein?—Very little indeed is washed up. I have seen things washed up after a strong westerly wind, which is not the prevailing one.

9539. Who is taking the observations of the currents?—(*Mr. Bennett.*) We do it ourselves.

9540. Are the observations being taken daily?—No; not every day.

9541. Should not they be taken daily?—It would be advisable to do so. I am now in communication with the Admiralty in the matter.

9542. What would be the probable cost of this drainage scheme, do you estimate?—From £30,000 to £40,000.

9543. Then you would have to go to Parliament for powers?—Yes.

9544. *Chairman.*] You appear to have spent a good deal of money in making roads, wisely appropriating your revenue from the sale of lands for that purpose?—Yes.

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9545. Are the roads in a fairly satisfactory condition at present?—(*The Mayor.*) Yes; they are being constructed departmentally for the most part. Some of these roads were done under Act 41. (*Mr. Powell.*) We did not know that the cost was going to come out of the ordinary revenue. We understood that we had additional borrowing powers for roads under that Act, but we afterwards found that we had not. Had we known that, it is probable that the roads would not have been made.

9546. Do you propose to make future roads with borrowed money or money from the sale of other land?—We shall have to sell land, I presume.

9547. Have you any grievances with the Divisional Council at Kalk Bay?—(*The Mayor.*) No; I think our main grievances are against the railway. They are unable to supply us with trucks to bring the material to make our roads.

9548. The Divisional Council spend more money in Kalk Bay than they get from the rates in that district?—Yes; that is because we have more than 5 miles of main road through our Municipality.

9549. I see, from the Divisional Council accounts, that in 1901 they spent over £3,000 in your Municipality, whilst the Divisional rate only brought about £900 from your district, so that they have been a little more liberal to Kalk Bay than they have been to some other places?—I do not think so.

9550. Do you know anything about a Conference of municipal delegates with reference to the taking over of main roads from the Divisional Council?—I was there.

9551. Did you agree with the resolution that was adopted?—I thought we were out of it altogether. I knew that we could not keep up our main roads unless we had something given to us for the purpose.

9552. The resolution spoke of some consideration to Kalk Bay, Simonstown, Maitland and Durban. What was that special consideration to be?—It was not decided, except that we ought to have some consideration because of the length of roads we should have to maintain.

9553. Do you anticipate that it would always cost you as much to maintain these five miles as it did in the year just quoted?—If we had the facilities which the Divisional Council have for getting macadam, it would not. The difficulty in the matter of maintaining the road would be that of material.

9554. How far away from Kalk Bay is the Divisional Council quarry?—It is a little beyond Fish Hoek—at Elsjes Bay. (*Mr. Powell.*) The Municipal Act would not allow us the power which the Divisional Council has of going on to quit-rent land and taking gravel, and consequently we would have to pay very much more dearly for it than the Divisional Council now have to pay.

9555. What do you estimate would be a fair cost of maintaining these five miles of main road?—(*The Mayor.*) I do not think it could be done under £600 per year.

9556. For the lot?—Yes.

9557. If you think that it could be done for £600 per year, would not the proper consideration for you be to take over the road and for the Divisional Council to cease to levy rates within your boundary?—Yes, if they gave us the right to levy the same rate.

9558. The Divisional Council rate of 1d. in the £ produced £899 in your district in 1901?—Yes; and if they gave us the right to levy that rate on the understanding that we utilised the money for the purpose of the roads we could do so. We should also require to have facilities for getting road material.

9559. Would you fetch the road material yourselves?—It would come in railway trucks. There is a railway siding right into the Divisional Council's quarry.

9560. Would you be prepared to pay the cost of that macadam?—We would be prepared to pay the cost to the Divisional Council at the quarry at the present time.

9561. You say that you could maintain those five miles of road for £600?—Yes.

9562. And a 1d. rate would bring you £900, which would leave a balance of £300. Would not that cover the cost of the macadam?—I am afraid not. It is not the question of labour, it is the question of material that would be the expense in the making of these roads.

9563. Then in addition to being relieved of the Divisional rate you would want a subsidy in the shape of the necessary quantity of macadam to put on the roads?—Yes.

9564. You would require to be supplied with that macadam free of cost?—No; at the Divisional Council cost at the crusher.

9565. You would pay for the carriage?—Yes.

9566. How far is that quarry from Kalk Bay?—About 4 miles, and about half way between Kalk Bay and Simonstown.

9567. Are there Divisional Roads passing through your Municipality in addition to the main road?—No; only the one main road from Cape Town to Simonstown.

9568. Does Kalk Bay send a representative to the Divisional Council?—Our district is represented by Mr. Runciman and Mr. Hugo.

9569. Then you combine with Simonstown to send representatives?—So far as the Divisional Council is concerned.

9570. Owing to the great cost to which you would be put in keeping up that portion of the road, you think you should be exempted from making any contribution towards the maintenance of Divisional Roads outside your limits?—Certainly.

9571. Any arrangement of the kind of which we are speaking might be subject to revision in the course of years. For instance, if you became a wealthy Municipality you would be prepared to contribute your quota if it was thought proper?—We should be only too pleased if it was possible. At present we are practically a very big Municipality, but a very poor one.

9572. You mean a very big Municipality as far as area is concerned?—That is so.

9573. *Dr. Gregory.*] Besides the road maintained by the Divisional Council, are there roads maintained by the Municipality?—Yes; there is the Royal Road and several other small roads that have been constructed by money from the sale of lands, and we are continually making roads.

9574. So that in the future there will be a considerable length of road to maintain, especially when you have constructed the proposed High Level Road?—Yes.

9575. Where do you get your road metal from?—At present we are using material from the quarry which we have on Municipal ground, but it is not really road metal. We shall have to go to Fish Hoek for that.

9576. Your material is not suitable for roads?—No it is all right for bottom work but it is no good for crown work.

9577. What does gravel cost from Fish Hoek?—We pay 9s. 6d. per cubic yard, and we have to pay 7s. 6d. per truck for carrying it.

9578. What does it cost on the road?—8s. per cubic yard.

9579. In the event of the different Municipalities taking over all the Divisional Council roads within their areas, there would be very little intervening road between the limits of the Municipalities?—Very little.

9580. And therefore it would hardly pay the Divisional Council to keep up these stone quarries and stone crushers?—I am sure all the Municipalities would be glad to take their macadam from these quarries. It is the very best we have for road making.

9581. Is the supply practically inexhaustible?—Yes, there is a huge mountain of it.

9582. Do they use the macadam right through the Peninsula?—As far as possible.

9583. It would appear that this question of macadam really governs the making of the roads?—Yes.

9584. So that the body which is to make the roads should have the control of this supply of macadam?—They should have the means of getting a supply.

9585. Theoretically then, it should be a more expensive way if each Municipality had to do its little bit of road-making?—I do not think so.

9586. But they would have to come to the Divisional Council for macadam?—Yes; but the Municipalities would simply order a certain number of yards of stone in the summer time and store it for use in the winter.

9587. Then it remains that somebody is to be kept in existence to supply all these other bodies with macadam?—Why not the Government?

9588. Does it not appear to you to be a more economical and better arrangement to have one authority to deal with all roads in the municipal areas—some combined authority?—It could be done, but I think it would be difficult, for this reason: all the Municipalities are not situated in the same way. At Claremont they have a supply of gravel under their very noses; whereas we have to bring ours some miles. Cape Town, again, has its quarries at the top of Strand Street. They get their macadam from those quarries, but Woodstock, on the other hand, have not any.

9589. Where does the Divisional Council get its gravel to maintain the roads in Claremont?—From the crusher at Elsjes Bay.

9590. So that the Divisional Council brings its macadam from Elsjes Bay when it could get it in Claremont?—Claremont gravel is good for side roads, but it is not good for main roads, except for top dressing, and the Divisional Council give their roads a top dressing with Claremont gravel.

9591. Where does the Divisional Council get its macadam for the Woodstock roads?—Elsjes Bay.

9592. And the roads in Cape Town are maintained with macadam from the Cape Town quarries?—Yes.

9593. Then we are faced with one of two things: either the Cape Town macadam is not so good as Elsjes Bay macadam, and therefore Elsjes Bay macadam should preferably be used, or else the Cape Town macadam should be used in Woodstock or thereabouts?—It is used in Cape Town because it is nearest. The Divisional Council have no quarry in Cape Town.

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9594. Does not this point to one authority controlling all the roads in these Municipal areas, both main roads and side roads?—I would agree as far as main roads, but I do not think the side roads.

9595. Why not the side roads?—The Municipalities are making roads continually, and they have staffs and must keep them up.

9596. But why should not the combined authority do the road making?—They would not do the scavenging which the Municipality now do. Take our own Municipality for example. When our carts have finished their scavenging work they are put on to road making. If we could not give them that to do they would sometimes be idle for half the day.

9597. Then the combined authority should either do all the work or allow the separate local authorities to do it. They could not economically take over a portion of the work?—I do not think it would be advisable for them to do it, but if they did take over the roads they should also take over the scavenging.

9598. Do you see any reason why they should not take over the scavenging?—It is such a large area that I think it would work far better as it is being done at present. Each Municipality should be allowed to look after its own scavenging and private roads, and in the case of main roads, certain facilities should be given by the Government.

9599. *Chairman.*] To whom does the quarry at Elsjes Bay belong?—It is on Crown land.

9600. Then it is not on a private farm?—No.

9601. So that the Municipalities should have just as much right to it as the Divisional Council?—Yes.

9602. What kind of stone is it, Mr. Bennett?—(*Mr. Bennett.*) It is a kind of blue trap.

9603. An igneous rock?—Yes, rather a tough kind of stone that wears very well.

9604. How many crushers have the Divisional Council there?—(*The Mayor.*) They have two crushers.

9605. If the Municipalities took over the maintenance of the main and divisional roads, they should be able to make their own arrangements for getting stone as well?—Yes.

9606. Is that the only quarry of the kind in the neighbourhood?—That is the only one.

9607. Have you anything to tell us in the matter of the lighting of Kalk Bay?—We hope in the near future to instal the electric light through the use of our water.

9608. Would it be a paying undertaking?—I think so.

9609. By using water power?—Yes, we have it there.

9610. At present your lighting is done by oil lamps?—Yes.

9611. The Gas Company seem to be inclined to extend their operations to Wynberg; is it within measurable distance of Kalk Bay?—I am afraid not: we are 7 miles away from Wynberg.

9612. And the demand would not be sufficient to make it worth their while to come as far as Kalk Bay?—I do not think so.

9613. Neither is the demand sufficient to warrant an electric supply at present?—If we had the borrowing powers and our drainage scheme was completed we would go in at once for electric light.

9614. Have you any public wash-houses?—Yes, at Kalk Bay. They have been completed for a little over 12 months. They are well patronised and they are paying interest on the money invested.

9615. How much money was spent on them?—Roughly speaking £1,000, which is obtained from the sale of land.

9616. Do you supply the water to the wash-houses free of charge?—Yes, free of charge except 3d. per day per tub. We have 43 tubs.

9617. You do not allow washing in the yards of houses?—Not as a matter of livelihood. We cannot altogether stop private washings but we do so as much as we possibly can to stop them.

9618. Have you any other public works, such as baths or cricket grounds?—No.

9619. You have a public school?—Yes.

9620. Did you give land free for the site?—Yes.

9621. Have you public bathing machines?—We have one screen at Kalk Bay and two at Muizenberg. They are scarcely worth mentioning.

9622. *Mr. Gurney.*] I see that in your account for 1902 you have an item of £500, "Drainage Engineer's salary advanced from revenue"; what does that mean?—It is an advance against the drainage scheme from revenue to be repaid when a loan is raised for the drainage scheme.

9623. *Chairman.*] You are not anxious for any alteration in your area; you do not wish your Municipal boundary extended?—No, I think not; but, personally speaking, sooner or later we, or someone else, will have to take in Retreat, and I think the sooner the better. It is a disgrace the way the houses are being built in that neighbourhood, and the way the streams are being polluted. There is no supervision whatever except the Divisional Council supervision, and that does not count for much.

9624. Is it becoming thickly populated?—No, I cannot say that, but a lot of ground has changed hands lately and buildings are going up near the main road of a very unsightly character and without any order, and once they are built they cannot be pulled down again Then you get Indians crowding into little tin shanties where foodstuffs are kept.

9625. What area does this cover?—Practically 3 miles of main road. It runs to the boundary of Diep River which Wynberg has recently taken into its Municipality.

9626. You have not done anything in the matter of taking over this area?—No, it is impossible for us to move in the matter. It would have to be at the initiative of the residents of Retreat unless the Government stepped in. The inhabitants are not likely to do it because they would have to begin paying rates which they do not now pay.

9627. Should not the Divisional Council be empowered to deal with that state of affairs?—They should be given more power of that kind.

9628. You consider that there is a want of power at the present time?—Yes, obviously.

9629. Then you maintain that until an area is fit to be turned into a Municipality the Divisional Council should have full power to control matters within it?—Yes; it is a pity that so large a portion of the main road, which eventually will become valuable property, should be made hideous by the buildings put up alongside it; and should be spoilt generally by buildings being put up in all directions, all over the place. It is a shame to see things going on as they are at present.

9630. Has there been a large number of plots of land sold there?—Yes, and at very big prices.

9631. In what size of plots have they been sold?—Generally from 50 to 100 feet

9632. And houses are being run up without regard to sanitation or water supply. or anything else?—Yes; Dr. Fenoulhet, our Medical Officer, has been down there a good deal, and he could tell you something of the state of things which he saw there. I may add, further, that as far as our Municipality is concerned, we have a cemetery question now before us. We have a cemetery site laid out, and we hope within a short time—say by the 1st October—to have it quite ready for burials.

9633. Is it within your Municipality?—Yes.

9634 Then it will be under the control of the Municipality?—No; a Cemetery Board, I should think.

9635. To whom does the ground belong?—To the Municipality, but it would be vested in a Board.

9636. Could it not be vested in the Municipality?—It could, but it would not suit our purpose at present, because we should have to borrow money, and we do not desire to do so.

9637. But you would get revenue from the cemetery, which would increase your borrowing powers?—The revenue would be very small at first.

9638. Who then would maintain the cemetery?—It would be maintained by whatever loan was granted to the Board in whom the cemetery was vested, and then the receipts would gradually increase, and that would maintain it.

9639. But is not that Municipal work?—No; it comes under a special Act.

9640. I suppose it is out of the question that the Kalk Bay Municipality can be amalgamated with any other Municipality—you must remain an isolated body?—Yes.

9641. Have you lived in other Municipalities in the Peninsula?—Yes; I lived for several years at Wynberg.

9642. Have you the same views with regard to Wynberg which have been put before us, that they should be a separate Municipality?—I think that Wynberg could join with the others.

9643. What others?—With Claremont and Rondebosch; so that instead of having small Municipalities, large ones might be made.

9644. Do you see any difficulty in amalgamating all the Municipalities from Wynberg to Sea Point?—I do not think there would be any difficulty in doing it.

9645. Do you not think it would be a good thing to have one unified Municipality right through?—It would be a good thing in many ways.

9646. With representatives elected, say, by the areas as they now exist?—Just so.

9647. There is no expediency in amalgamating Kalk Bay with Simonstown?—No; we are 5 miles from Simonstown, and the area between us is practically no man's land.

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9648. And how far are you from Wynberg?—About 5½ miles.

9649. But if you annexed Retreat?—Then we should be on the borders of Wynberg.

9650. I suppose the Retreat people would object to being annexed?—Certainly; the big landowners would object, because they are now free from paying rates, which they would have to pay immediately they came within any Municipality.

9651. And you consider that the area of Retreat might be placed under the Divisional Council with enlarged powers?—Something should be done.

9652. It is not absolutely necessary that it should become part of any Municipality?—Certainly not, but it requires better government than it gets at present.

TUESDAY, 27TH MAY, 1902.

Present.

Hon. Sir BISSET BERRY (*Chairman*).

Dr. A. J. GREGORY.	Mr. W. E. GURNEY.
Dr. A. J. ANDERSON.	Mr. J. E. R. DE VILLIERS.

Mr. Henry Cloete, C.M.G., and *Mr. Ryk Myburgh* examined.

Messrs. *Henry Cloete* and *Ryk Myburgh.*
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9653. *Chairman.*] Mr. Cloete, you are a Justice of the Peace and a Barrister-at-Law, residing at Alphen Farm, near Wynberg?—Yes.

9654. And, Mr. Myburgh, you reside at Constantia, and are a farmer?—Yes I am a Justice of the Peace, and reside at Hout Bay.

9655. Who is the Field-cornet there?—Mr. John Versfeld.

[From this stage *Mr. Cloete* answered all the questions.]

9656. You are not a member of the Divisional Council?—No.

9657. And both you and Mr. Myburgh are members of the Constantia Fruit Growers' Association?—Yes.

9658. Now the only local authority in Constantia is the Divisional Council, I presume?—Yes.

9659. And you don't wish to see that state of affairs changed? Would you like to see Constantia converted into a Municipality or brought under the Village Management Board Act?—Not at all. I will tell you the reasons why we would oppose it. Our area would have all the disadvantages of a Municipality if it were joined on, and we would not have any of the benefits. We are too scattered, and the Wynberg Municipality could not possibly supply us with electric light, water and a drainage system. So that the conditions which would apply to a Municipality would not apply to us at all. And on the other hand, the ratepayers of Wynberg would object to be rated for the purpose of supplying the farmers with electric light, water and drainage.

9660. But why not?—Because we are a farming community, having our own water supply and not requiring Municipal government.

9661. In fact, do you not think that the time has arrived for a change from a rural to an urban authority?—No, what I would suggest is that when any areas have become sufficiently populated to warrant their being joined on to a Municipality, then the Municipality adjoining could be extended in order to take in such areas. Then the people of such areas would be in favour of it because it would be in their own interest, and the Municipality might then also be prepared to undertake the responsibility, because a fair revenue could be expected. I might point out that certain portions now excluded from the Municipalities were included in the original Municipality of Liesbeek. A petition was at that time presented to the Government and a Commission was appointed and the whole question was gone into. The Commission consisted of certain gentlemen; I think either Mr. Piers or Sir Thomas Upington was a member of it, but I am certain that Mr. Crosby and Mr. de Smidt, late Surveyor-General, were the other members of the Commission. A great deal of evidence was taken, and the Commission unanimously

came to the conclusion that those portions should be cut off; and they were cut off by proclamation which you will find published in the *Government Gazette* dated the 18th July, 1886. Since that time the trend of all the building operations has been in the direction along the railway, and that is where you would want Municipal arrangements. That is in the direction of Diep River, but not in the Constantia area at all.

9662. I am not aware that, at the present moment, Mr. Cloete, there is any movement to incorporate your area within the Municipality of Wynberg or any other Municipality, but, quite apart from that, is it not a fact that the Divisional Council, as at present constituted, has not the power over local matters in connection, for instance, with public health?—Yes, I quite agree with you.

9663. And your contention is that the powers of the Divisional Council should be increased so as to enable them to efficiently deal with those matters?—My contention is that the Divisional Council should be abolished altogether, and that we should have some other Board with more extensive powers than the present Divisional Council. So far as roads are concerned, my suggestion would be that the main roads used by almost all the inhabitants should be under the control of the Government entirely and should be maintained out of the general revenue of the Colony. By the term "main roads" I mean such an one as that running from Cape Town to Simonstown. And if this proposal were found to be impracticable, then I would suggest that all the main roads within the present Municipal areas should be placed under the control of a Central Board of Works, with a Chairman who should be a permanent and highly paid official. This Board of Works should be constituted by representatives from each of the Municipalities, or if the Municipalities are amalgamated, then representatives from each of the wards of such amalgamated Municipality. The Chairman should be made responsible to the Government, or still better only to Parliament. I would further suggest that this Central Board of Works should have the power to levy rates for its own purposes upon valuations made by competent Government valuators, who should also be well-paid officials appointed for the whole of the area under the jurisdiction of the Board. Such a course would, I am certain, ensure a uniformity of valuation of all the property, the basis of the valuation being fixed by the Act of Parliament constituting the Board.

9664. If you don't mind, we will just look back a little before proceeding with the questions you are discussing now. You want to abolish the Divisional Council?—Yes.

9665. And what are you going to put in its place?—Inside the Municipal areas, for the management of the roads and other things required to be looked after there, I propose a Central Board of Works.

9666. Just let me get at this by putting the questions as succinctly as possible. Is that Board which you suggest to be an elective Board or partly elective and partly nominative?—The Board should be constituted by having one of its members nominated by the Government and the others elected.

9667. And as far as the elected members of the Board are concerned, would they be returned by the Municipalities?—By the Municipalities mainly, or if the Municipalities are amalgamated then by the different wards of the amalgamated Municipality.

9668. Do you think the Divisional Council should be abolished only in the Cape Division, or throughout the whole Colony?—I think only in the Cape Division. Over all the part that you might call the "Peninsula area."

9669. Not the whole Cape Division then?—Perhaps it would be better if it were abolished in the whole of the Cape Division. I may say, however, that I have not given that question due consideration, but I think if it were abolished throughout the whole of the Cape Division we should have much more uniformity, which is very desirable.

9670. And you would give the Central Board of Works the power to rate?—Yes.

9671. Do you think that the Cape Town people would stand being rated by a Board consisting of half Government nominees?—I don't propose that they should have half Government nominees on the Board. My proposition is only that the Chairman of the Board should be a permanent Government official, who should be well paid and be responsible to the Government or to Parliament.

9672. Such a Government official as the Civil Commissioner, for instance?—Yes.

9673. What would you reply to those who say that one of the greatest sources of weakness of the Divisional Council is the fact that they have a permanent chairman, and that if they had an elective chairman he would add more energy and popularity to the Board than is at present the case?—I don't agree with that. The present head of the Cape Divisional Council, Mr. Horne, is an extremely able and in every way a first-class official.

9674. But apart from individuals, the question is between an official chairman and an elective chairman?—I am of opinion that they should have an official chairman who

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should be absolutely independent of the people in the district. I would make him so independent that he should be only responsible to Parliament.

9675. And you would give this Board of Works a good deal of power?—Yes.

9676. And you would entrust the main roads to this Board?—I should entrust to this Board the main roads; and I should also entrust to them all the roads within the Municipality.

9677. Do you mean the streets in the Municipalities?—I don't mean bye-streets; but all main thoroughfares. I should further entrust to this Board the management of water supply, drainage and lighting. In fact I should give them all the powers that now exist in the Municipalities, except in respect of such small things as the general sanitation, and matters in connection with buildings, such as the passing of plans, licences, &c., which would be done by the Municipality.

9678. Why cannot Municipalities do these larger things for themselves?—Because at present there is no uniformity about anything.

9679. But suppose we were to unite them into one Municipality?—Well, I take it that that would come practically to the same thing that I am proposing in the constitution of this Central Board of Works. I can well understand that there may be difficulties in the way of uniting them all, but it might be possible to unite some of them. I don't express any opinion as to which of the Municipalities could be united, but that there would be difficulties I can plainly see. Take, for instance, Wynberg: it has its own water supply, and it has its own drainage scheme. Wynberg, as far as I can see, is financially sound. A Municipality like that would seriously object to be united to some of the other Municipalities which, I am afraid, are not quite financially sound. Such obstacles one can see to such a proposal, but as a matter of fact I have not gone into the matter sufficiently to give any definite reply on that point.

9680. Do you know that the Municipalities are very anxious to take over the maintenance of the main roads within their own Municipal areas, and that they are quite willing to pay for their maintenance? Now what objection would there be to that being done?—As I have said, you would not have that uniformity that you would have with the Board. For instance, if you gave the maintenance of these roads to the different Municipalities you would still have these different Municipalities appointing different valuators for each. This I maintain is the crux of the whole thing. My point is that these valuators should be Government officials and should have nothing to do with the Municipalities or with the ratepayers. Then you would get uniformity, and besides, the basis of the valuation should be laid down by Act of Parliament. At present the individual valuators appointed by these Municipalities value at their own sweet will, regardless of any method at all.

9681. That enters into the question of valuation to which we will come later?—I take it that the question of the proper valuation of properties is one of the first things to be considered.

9682. We will suppose for the moment that that has been settled equitably, what is there then to hinder the Municipalities either from combining into one or into two or three, doing all Municipal work for themselves within their own areas, to the exclusion of another Board, such as you suggest? Take Cape Town: Do you think that the ratepayers, or the Mayor and the Councillors of Cape Town, who have done all these things for themselves, and have done them fairly well, would like to see a Board put over their heads, and controlling drainage, lighting, water and main roads?—I don't think they would like it, but if I were a Cape Town ratepayer I should like it.

9683. You are of opinion that they would not like it, but you think it is necessary?—Yes.

9684. Would it not be better to improve the Board we have than to put another Board in its place?—I am one of those who do not like half measures. When my mind is made up that a thing is for the best I like to see it carried out.

9685. Take the Divisional Council as at present constituted: suppose we find it impracticable to abolish it, how could we work it on some such model as you would like to see it? What powers should be given to it?—They should certainly have more extensive powers than they have now, especially in the outside areas of which I am speaking. I do not profess to speak for the areas within the Municipalities, as I live in an outside area. I think a good deal of money is at present wasted by the Divisional Council.

9686. Take it in your own area, with which you are so familiar; in what respects are the powers of the Divisional Council wanting?—Well, as I told you, there is no proper basis of valuation. The thing is done in such an erratic manner; with this last valuation for instance we were all up in arms about it and the whole of Constantia complained. I could give you several instances in this regard. Different valuators have different systems of valuation and some have no system at all.

9687. This question of valuation is then your first instance of weakness in the existing Divisional Council system?—Yes; I should like to see permanent men appointed, who would be quite independent.

9688. Do you consider the valuation in your district too high or too low in the main?—Absolutely too high for the purposes that we require it for. We are not a Municipal area that wants lighting and drainage and all that sort of thing. Practically, we only want rates for roads, because the expenditure in connection with the sanitation and health matters generally of the area is very small; and yet they value us exactly on the same basis as they do the properties in the Municipalities which have all these things. That we strongly object to. The basis of valuation for the outside farming property should be different from that for the Municipalities.

9689. But is it not at the present time on a different basis?—No; they go on the same basis—what the property would fetch in the market, or what rental it brings in. Now, if you look at the object for which the rates are levied, namely, for road purposes, you will see at once how unfair it is. It does not really touch the person who uses the road most and cuts it up most, such as the fish cart drivers, brickmakers and drivers of wood carts. There are at present no tolls and these people are practically paying nothing, whereas the man who has property, though he may be hardly using the road, has to pay the taxes. I maintain that the rate should be assessed on the probable value of the production of each farm, because to the extent of development on the farm so will the extent of the use of the road be, and that would be a fair basis. I will give an instance: one farm was sold to a syndicate for £18,000, which is not worth for farm purposes more than £4,000, but it has been bought up by this syndicate who are perhaps going to make a second Kalk Bay of it.

9690. What is it rated for?—That I cannot tell you. But it is a fact that they valued the farms on that basis, and I maintain it is not fair; it is a fallacious valuation.

9691. Speaking generally, is not the valuation of property within Municipalities based upon the value of the houses, and the valuation of outside property based upon the land?—I really don't know what their basis is, but I will give you a few instances: Alphen comprises 247 morgen and is now valued for £20,000; the old valuation was £6,000. Plumstead, which is second to none—except perhaps my farm, which is considered the best farm in the district—comprises 225 morgen, and is now valued for £4,000; the old valuation was £3,270. Steenberg comprises 478 morgen, and is now valued for £4,600, the old valuation being £3,895; High Constantia comprises 111 morgen, and is now valued for £10,000; Glen Alphen comprises 74 morgen, and is now valued for £6,500, the old valuation being £635; Klassenbosch comprises 266 morgen, and is valued for £10,000, the old valuation being £4,250; Witteboom comprises 160 morgen, and is valued for £5,750, the old valuation being £5,000; and Klein Constantia comprises 156 morgen, and is valued for £5,000, the old valuation being £3,500. I should like to draw attention to the difference in the valuation between the two farms Glen Alpine and Witteboom, adjoining farms, and also between Alphen, Steenberg, and Plumstead, which will bear out my contention that there should be a fixed basis upon which the valuation is to be made in order to ensure uniformity.

9692. That is true; but now do you say that in the main the valuation of the property in the rural areas of the Cape Division is too high?—According to the last valuation. I may say that the farmers from all parts of the district came in and lodged objections, and considerable reductions were made.

9693. Are they lower or higher than the previous valuation?—Higher. Alphen, as I have mentioned, was valued formerly for £6,000, and it is now valued for £20,000. At present, however, the valuation of my farm is £15,000, because when I came to object the Court reduced it by £5,000.

9694. But I mean, taking the valuation of the Cape Division as a whole and comparing Municipal and outside valuations quite apart from the farms that you have mentioned?—I did not go into that. I can only say in our area valuations were very much increased.

9695. Because you see you are now giving us individual instances of high valuation?—Well, I have given a good many.

9696. For the year 1901—the rates levied by the Divisional Council are estimated at £49,855 10s. 7d. for the whole of the Cape Division, and of that amount £46,016 8s. 1d. is levied on property inside the Municipalities, and £2,839 on properties outside the Municipalities, such as farm properties?—That is impossible, because Mr. Myburgh here and myself pay alone £65 between us.

9697. The whole of the Constantia district pay £415 3s. 4d.?—It is impossible.

9698. Well, I have the return here; you may look at it?—Yes; I see this is for 1900-1, but I am speaking of the new valuation.

Messrs. Henry Cloete and Rijk Myburgh. 7th May, 1902.

9699. I have the new valuation here also. It was supplied to me by the Divisional Council in March, 1902. I want to look at the broad result, and the rate given here is $\frac{3}{5}$ of a penny for the current year?—Yes, I think it is $\frac{3}{5}$ of a penny.

9700. Well, the total revenue which the Divisional Council will raise is £43,658. Out of that sum £40,892 is raised from properties inside the Municipalities, and from properties outside, excluding a small sum of £434 from a Village Management Board, only £2,331 is raised. Now do you say that that is too high a proportion for the outside properties to bear against the properties inside the Municipalities?—Oh no, I don't say that I think the valuations are too high inside the Municipalities as well as outside. What we say is that the valuation is too high for our purposes outside the Municipality. But I will admit at once that I have always considered that the Municipalities have borne an unfair proportion.

9701. You admit that? Well, then how do you suggest that we should calculate the proportion from rates at what it ought to be? What method would you suggest for a better equalisation of the burden?—I may say that I have not considered that matter.

9702. Well, there is one plan being suggested which I will recite to you and then you could tell us whether you approve of it or not. I of course assume now that the Divisional Council is to remain?—Yes.

9703. This plan is that the Divisional Council should, say, at the beginning of every year make up an estimate of the amount which will be required for the maintenance of the roads outside the Municipal areas. We will suppose, for example, that the Council require for this purpose an amount of £15,000—(as a matter of fact, during the year treated in this return the Council spent £13,000 on the outside roads, of which something more than £10,000 was contributed from properties inside the Municipalities, and an amount under £3,000 on properties outside Municipalities). It is suggested that under no circumstances should the gross amount levied from the Municipalities exceed a certain fraction of the amount required by the Divisional Council, say one half, one third or two thirds, or whatever fraction might be decided upon. Let us say one half, viz:—£7,500, as in the case assumed, as the gross sum to be contributed jointly by the Municipalities from their several revenues, it being also agreed that the Municipalities shall maintain the main roads and the divisional roads within their own area respectively. But now, in order to get the other £7,500 from rates on the outside properties, we would have to about double their present valuation? —Yes, and that would be absolutely impossible.

9704. Well, I have now given you one method that has been suggested, and you find it impossible; what do you propose?—My proposition is a different one from that altogether. I propose that they should have a Central Board of Works, and that they should do away with the Divisional Council inside the Municipality. The area outside the Municipality in the Cape Peninsula might be grouped into districts or divisions, as, for instance, Constantia, Diep River, and, say, Hout Bay making one division. Maitland and other parts, including Cape Flats, making another division, and Koeberg making a division by itself. And these should be placed under a different Board of Works. Of course, in the grouping, consideration should be given to the contiguity of the different Municipalities and also to their special requirements. Each of these could be placed either under the control of a Board or have its own local control. Take for instance the Constantia district. That could have its own control, which could be constituted as follows:—The chairman, to be the Magistrate of Wynberg, assisted by say two members nominated by the Government from landowners so as to ensure the Government interest, and then four members to be elected by those ratepayers who are entitled to vote for Divisional Council members at present. Then of course you would only have one rate raised for the area and the money would be spent in its own district. I don't think that Constantia should be rated for the making of roads on the Flats or at Maitland or at Koeberg. It seems so manifestly unfair that we should pay for the construction and maintenance of roads there. I would do away with the Divisional Council inside and outside of the Municipal areas and have two Boards of Works.

9705. How is the money to be got?—I daresay a plan could be found, and we would spend half of what is being spent now, and our roads would be in as good order as at present.

9706. I want to get hold of this point: you admit that the Municipalities have up to the present time been too heavily taxed for the maintenance of outside roads?—Yes, I say they have paid an unfair proportion of the expenditure.

9707. I have made one suggestion as to how that difficulty could be got rid of, but you don't seem to like that?—No.

9708. Now tell me how you would relieve Municipalities from the excessive cost of maintaining outside roads?—Why should we be making roads for other places?

I think the Government might safely contribute towards places that have still to be developed and where roads have to be constructed and maintained.

9709. You would put it as a general principle that instead of raising the valuation of the outside properties to make up the difference, you would ask for an increased contribution from the Government?—Something of that sort. I want to tell you at once that I am entirely opposed to the idea of continuing these Divisional Councils. I have seen too much of the way in which the work of that body has been conducted, and therefore I am opposed to it as at present constituted.

9710. We may admit that it is not perfect, and we hope to hit upon some plan to improve it?—I am opposed to that, as they have no sufficient white supervision over their coloured labourers. I have often seen the men lolling about and discussing things in the streets with people who pass by, instead of doing their work.

9711. Well then, you propose to put in its place, as you have told us, this other Council, and your suggestion is that, instead of levelling up the valuation of outside properties to an extent that will bring their assessment to a fair level as compared with the Municipal properties, the Government should be asked to make the necessary contribution?—Some provision will have to be made. Take my farm, which was valued at £20,000. Money will bring in six per cent., which will amount to £1,200 a year on the £20,000. It will cost you about £1,200 a year to work that farm. I may say it costs me more, but say that it costs £1,200 to £1,500 a year, that would roughly bring the expenses up to £2,500. Well, I defy any man to make out of the farm more than £3,000 a year. Now then, you would have to pay £2,500, and for the balance of £500 you would have to meet all your other expenses, and that is still on the assumption that you have a good crop. If you had a bad crop you would very soon, under those conditions, make your acquaintance with the Master of the Supreme Court. I say it is a very unfair valuation to put upon a farm for road-rating purposes, and there is no question of adding to that valuation; it must be reduced.

9712. In this return that I have here the whole of the property at Constantia is valued at £159,000?—It seems impossible.

9713. Look at this return?—Yes; I see Constantia, £159,000.

9714. And at the bottom of the return you will see the whole of the valuation outside Municipalities?—£800,000.

9715. Now then, there is nothing excessive there in the gross valuation of farm property in the Cape Division as compared with similar valuations of farm property in other divisions of the Colony?—I think so decidedly. I think in the other divisions you will find that the Divisional Council is usually composed of farmers in the district, and they don't allow these excessive valuations. They don't allow any money to be wasted. Every penny that is levied is beneficially spent, as they look after the money.

9716. As a general principle you are prepared to maintain that the properties are valued quite high enough?—Certainly, generally too high.

9717. And you say it would be unfair to increase that valuation?—It would be impossible.

9718. Now, is there any other interest affecting the rural districts over which this Board, whether it is to be an enlarged Divisional Council or a Central Board of Works, such as you refer to, should be given control?—Well, I think it is necessary that some powers should be given with reference to general health matters, which would enable them to look after the sanitary arrangements, and to see that things are kept clean.

9719. And that you would have done by an inspector?—Yes, you could have an inspector, but I may tell you that we have sometimes a Divisional Council inspector, who comes round to our cottages. I may also point out that the position of a cottage on a farm is totally different from the position of a cottage inside a Municipal area, because as a rule our cottages are let to our own labourers who are usually decent people, and we see that these places are kept clean. There is as a rule a good deal of ground round about these cottages, and it cannot be compared with places like Arderne's Dorp, New Town and so on. Inside the Municipality these houses are closely built up and things are quite different. I may say as far as my own farm is concerned I have had no complaint.

9720. Generally, this local authority would require some new powers?—Yes; they would want to keep people up to the mark, but of course the conditions on the farms are totally different from the conditions in the Municipalities.

9721. That would be for the Board to take into consideration, and it is to be presumed that they will be men of common sense, so that they will see that only the necessary provisions are made and insisted on. Is there any other control that you would be prepared to give to the Board?—I don't think there is any other.

9722. Take this very work that you are so interested in?—Do you mean fruit growing?

9723. Yes; and then the question of dealing with insect pests, stock diseases and so forth. Have you got any authority with executive powers for dealing with these things?—We have the Horticultural Board, which is composed of representatives from the different districts; I am a member for our district. We represent matters to the Government.

9724. But you have no executive power?—No; but the Government carry out our resolutions.

9725. Well now, County Councils in England have power to deal with these things?—Yes; but I think that is a little too advanced for us.

9726. Do you mean to say that gentlemen in the Cape Division are not equal to it?—Oh yes, they are progressive, but you must bear in mind that you have curious people to deal with and you cannot go too fast with them. I speak from my experience of the different Boards on which I serve. You cannot go to work too drastically with these people.

9727. But could not this difficulty be overcome if the Board were elected by the people?—Well, even with these different associations we have always found that you cannot go too fast.

9728. Is not the fact that the Board is elected by the people the best guarantee you can have to prevent what you may call over-fastness in your legislation?—Yes, I think so.

9729. What are we going to do in this country if we cannot get the people to take an interest in these matters; should we not gradually work them up?—Yes, but you must not go too fast.

9730. We are not proposing to go too fast, and we say that the best means of checking that is to have a Board?—That all depends upon the constitution and powers of the Board.

9731. That is just why I am trying to point out, that it would be better to have an elective Board entirely?—No; I don't think that would do; you must have Government nominees on the Board. You must have a man who is responsible either to the Government or to Parliament. He must be the best man that we could get, who should be well paid, and he should be put absolutely above any local influence or interference. I am sure that would be found to be the cheapest in the end.

9732. Is not that the way likely to start a system which would be going too fast—to have a man who is not responsible to the local people?—He will be controlled by the local representatives, to a certain extent, and the Government will see that he is not going too fast, but I say you must have one head who is independent and who can keep the thing going and will take the initiative when necessary.

9733. Do you know anything about reports that have been sent in about insanitary buildings at Tokai?—No.

9734. Or at Retreat?—No; I have only seen it mentioned in the papers. Some of these places where the Municipality has been extending are where buildings are constantly going on, and that is along the railway line. It is absolutely necessary that there should be more control over these areas.

9735. *Dr. Gregory.*] You speak about a chairman for the Board, but now you are speaking of two Boards—one for the Municipalities, and one for the rural areas. For which Board do you propose to have this official Chairman?—I propose to have a Chairman for each Board. My idea is to have two separate bodies.

9736. But, now, would not that Board for the areas outside the Municipalities be somewhat disjointed, as they would practically have no means of communication except through the Municipalities?—No, I don't see any objection on that score, because in the formation of these districts due consideration should be given to contiguity and other conditions of the areas formed into districts.

9737. But now, presuming that Kalk Bay and Wynberg were extended so as to take in what is called the Contantia area between Kalk Bay and Wynberg, where all these houses of which you are speaking are springing up, why could not that Board which controls that area also control your roads in the little outlying parts?—No; I don't think it would work. You cannot have a Board inside the Municipalities controlling roads and other matters outside, because the Board inside the Municipalities would have to levy rates, for purposes other than those required outside, and I don't see how you can keep the two distinct.

9738. I confess I see no very great difficulty myself, because while what you may call the Municipal Board is attending to roads inside of the Municipal area it could attend to the roads outside at the same time? — But now we come to the question of valuation, and the rating of the properties. There you will see that within the Municipalities it is a totally different state of things from

outside the Municipalities. As I have before said, as soon as these parts become sufficiently thickly popullated then the Municipality could be extended, and as a matter of fact Diep River has already been taken in. I don't propose that you should make the present boundaries of the Municipalities a hard and fast boundary, but that their extension should depend upon the requirements of the localities to be taken in from time to time. You don't require the same amount of care in sanitary matters outside the Municipalities as inside.

9739. What is the difference in your opinion between the rural administration and the urban administration?—Well, amongst other things, inside the Municipalities they levy a rate on the valuation of the property for all purposes, whereas it would be mainly for roads outside.

9740. Well, but you can have differential rates or separate rates for different purposes?—Do you mean a separate rate for lighting, another for water and another for drainage, and so on?

9741. That is the principle on which rates are levied in England?—Yes; that might perhaps be done, but I would rather extend the Municipality where it becomes necessary from time to time.

9742. You say that farms should be valued on their probable production?—Yes.

9743. How would you arrive at that probable production?—By finding out the number of vines on the farm and so on; in that way you could very easily find out what the probable production will be. I could easily tell you what the probable production of my farm will be. You have of course to take into account the extent of the farm. When I came to object to the valuation of my farm I cross-examined the valuator and asked him what the extent of my farm was. He replied he did not know. I then asked him how many vines I had on the farm. He replied that he did not know. I further asked him whether it was a quitrent farm or a freehold one, but he still said he did not know. I then said to him, "How can you make up the value of a farm if you don't know these things?" and his reply to me was, "How could you expect me to go into these details seeing what pay I get for the work?" That shews exactly what is taking place, and the public should be protected against such a state of affairs. I say that by taking the extent of the farm which is under cultivation, you could very easily find out the probable production. You know exactly what return to expect from 1,000 vine sticks. On some of our farms a good deal of market gardening is done, and this does not seem to be taken into account by the valuators, and yet these people make great use of a road. That is why I say it would be fairer to make the men pay who are using the road, and by placing the valuation on the probable production of the farm, you get at those people. At present there are no tolls, and they simply pay nothing in the way of rates. You have fish carts, wood carts, and market gardeners and so on.

9744. But I don't see how you would touch these people by your valuation on the probable production of the farm?—Yes, you would.

9745. But fish does not affect a farm, and you say the fish carts cut up the roads? Well no, fish does not affect the farm, but the fish carts cut up the roads for which the farms are taxed.

9746. Well, but the people who use the road are the brick-makers and the fish carts?—You should tax the brick-makers, because a man who has a brick factory on his farm would produce so much, and his carts would be cutting up the road in taking the bricks away. Under present conditions the valuator comes to a man's farm who has a brickfield on it, and he values the land for a few pounds, not taking into account the value of the production of the place.

9747. Then virtually you base your valuation, not on the value of the farm, but on the value of the labour that is put into that farm?—The production of it, and I think that would be a fair basis. Besides, you must remember that it is only for the purpose of constructing and maintaining the roads, and nothing else.

9748. But you want to give the Divisional Council powers in connection with health matters?—Well, I don't think the expenditure in that direction will be large in the outside districts.

9749. It is quite possible that it would come to as much as the present road rate?—I don't think so, unless the money is unnecessarily spent.

9750. You say that you want one basis of valuation right through?—Yes.

9751. Is it possible to apply that to every kind of property?—Yes, I think so, in the case of outside property.

9752. Should not a good valuator take all the facts into consideration?—I should not leave too much to the discretion of the valuator.

9753. Is not that, after all, the fundamental principle of valuation?—No; you must have a basis to work on. For instance, when the man came to value my farm, he merely stood on the hill looking at it, and then placed a value upon it.

Messrs. *Henry Cloete* and *Ryk Myburgh*. 27th May, 1902.

9754. It has been suggested that the difficulties and discrepancies in valuations would be got over if there were a Government Valuation Court appointed by the Government and consisting of Government officials and leading commercial men, such as bank managers and secretaries to Orphan Chambers, who will have to review and adjudicate upon the valuations as they are brought up by the valuators?—I should think it would be very unfair to put a bank manager and a man at the head of a money lending institution on such a board.

9755. You would not be in favour of such a Court?—I don't think it would work. It would not be fair to the people.

9756. *Mr. Gurney.*] The Divisional Council accounts which we have before us for the last five years shew their expenditure within that period at about £180,000, and out of that amount only £1,415 has been spent in connection with the Public Health Act, and that would bear out your contention that for all practical purposes the Divisional Council work outside Municipalities is road work and nothing more?—Yes, generally speaking, of course.

9757. You have been criticising the way in which valuations have been made, but you are aware that the present Act lays down that the valuator "shall conscientiously value the property at and for the full and fair price or sum which such property would in his judgment be likely to realise if brought at the time of valuation to voluntary sale and sold upon the usual terms and conditions"?—I know that is the law, but it is not consistently applied.

9758. But the objections that you are raising are objections to the terms of the Act, and not so much the style of the valuation?—I think, both.

9759. But the properties that you name would probably not sell for less than they are valued at in terms of the Act, so that in that respect the valuator has not gone astray?—Not in terms of the Act, but I maintain that they should not value in that way.

9760. The fault is in the Act?—Yes; but the valuators don't always follow the same principle.

9761. In terms of the Act the valuation of some of the properties would be too small?—Yes.

9762. Well now, if they were to value on the same basis, whether for road making or for any other purposes, it would not make any ultimate difference to the proprietors, because the higher the valuation the smaller would be the rate?—No, it would practically not make much difference, but outside the Municipalities you have only the one purpose, whereas inside the Municipality it is for many purposes. It would be all right as long as they stick to a rate for road purposes, but if there were other taxes the Government would take the Divisional Council valuation for further taxation and that is where the difference might come in.

9763. I was coming to that. You are aware as a barrister that the question of the valuation of property is constantly cropping up in connection with transfers, the payment of succession duties, and in a multitude of other ways?—Yes.

9764. So that if a Government Valuator were appointed his valuation would be available for all those purposes, and not only for rates?—Yes.

9765. And ultimately would save the community a good deal of money that has to be spent on special valuations now?—Oh yes; and it would save them a good deal of time and annoyance. If the people knew that there was an independent valuator they would accept his valuation, because they would look upon it as being a fair one of their property seeing that an independent man had done the work.

9766. So that you would want to see a Government Valuator appointed with distinct provisions in regard to the lines he is to follow?—Yes; the basis for properties inside and outside of Municipalities should be defined in the Act.

9767. And that then these valuations should be available for all purposes and be accepted by the Master of the Supreme Court and so forth?—Yes.

9768. Now it is possible, as you pointed out, that the amount to be derived from the farms outside Municipalities would not suffice for the road-making in those districts. Would not a wheel tax meet that difficulty?—It would be a splendid thing.

9769. Would not that perhaps be preferable to a rate?—Yes; one of my ideas is this: Supposing that, instead of having a Board for the outside areas, you take an area like Constantia, together with Hout Bay, and have it under local control; and you had a wheel tax which you would get from the people who are using the roads, I am quite certain that out of that tax, together with perhaps a small tax on horses, you would be able to keep the roads in order. But of course there are objections to that idea, which I admit, because the idea is not to decentralise in that way. If, however, you had an area like that, as I said before, with the Magistrate of Wynberg as the Chairman, and two men appointed by the Government from the landowners in the

district, together with four men elected by the people, I think the thing would work admirably in certain districts. In the C[illegible] F[illegible]s, [illegible], it [illegible] perhaps as in our own area. Messrs. H[illegible] Cloete

9770. But do you say that there are objections to the wheel t[illegible]x?—No; [illegible] no objections to the wheel tax.

9771. The wheel tax would be the means of reducing the rates?—Yes; because it will reach the people who are paying nothing towards the roads and are using them tho most.

9772. It would be preferable to licences to be issued to carriers, and so forth, which has been suggested by the Chief Inspector of Public Works, as that would be perhaps too troublesome a tax?—Yes; I should say a small tax on horses rather, if the wheel tax is not sufficient. In that way we would arrive at a fair amount of the tax, for each person to pay, but at present it is not fair, as I am paying an undu[illegible] compared with others who have a lot of cottages and market gardens, an[illegible] roads much more than I do.

9773. *Dr. Gregory.*] But how would you work the wheel tax?—By licence [illegible] the same way as the dog tax. These could be renewed say every six months or s[illegible].

9774. *Mr. Gurney.*] And each vehicle could have a token fastened to it?—Yes.

9775. *Dr. Gregory.*] What power will collect this?—The local authority that we are speaking of.

[From this stage *Mr. Myburgh* answered the questions.]

9776. *Mr. Gurney.*] Perhaps, Mr. Myburgh, it would be as well f[illegible] we have your view of this question. Do you think the wheel tax should be applied [illegible] Hout Bay?—Yes; I think it is a very fair tax.

9777. Fairer than a rate?—Yes; because then you get at the right man who cuts up the roads. At present these people are using carts and horses over the roads and they pay nothing towards the maintenance.

9778. You are not meaning the people who visit Hout Bay?—No; I am talking of fish carts and so on. I am greatly in favour of a wheel tax, and I think it can be very easily arranged to get it in.

9779. *Chairman.*] Does that mean that you will tax the vehicle in accordance with the number of wheels?—Yes.

9780. And when a licence is paid for in Cape Town say, would that cover the whole district and would that vehicle have the right to go out of the district say into the Malmesbury district, and would the Malmesbury people have the right, when they have paid their wheel tax there, to come into the Cape Division?—Oh yes.

9781. *Dr. Gregory.*] By payment of a wheel tax you would get hold of the people who are using the roads?—Yes; the Municipalities complain that they are taxed too high and on the other hand the farmers are complaining that they are taxed too high; and by a wheel tax the people who really cut up the roads will pay.

9782. *Chairman.*] You are aware that in many of the Municipalities there is a vehicle tax?—That I did not know. It is not so in Wynberg. At any rate if we have a wheel tax it will be taxing the right people.

9783. *Dr. Gregory.*] Would you count a traction engine as having only four wheels?—(*Mr. Cloete.*) I would count each one as having twenty wheels.

[From this stage *Mr. Cloete* again answered the questions.]

9784. *Mr. Gurney.*] Now, Mr. Cloete, you spoke of the question of Government taking over main roads; are you referring only to the Cape Division or to the whole Colony?—To the whole Colony.

9785. That is a very big question that is not likely to be settled in the immediate future?—Yes; and that is why I made the alternative suggestion, but I think it is a very fair argument, because if you take a road like the one leading from Cape Town to Simonstown: it leads to a port and is not only intended for the local people, but in a sense the whole country benefits by that road, so that it is a fair suggestion that such a road should be under Government control.

9786. Would you be prepared to urge that the general taxpayers should contribute to certain roads in the Cape Peninsula whether or not the Government takes over the main roads of the Colony generally?—I think this road to Simonstown would come into that class, and——

9787. Would you go so far as to urge that that ought to be contributed to by Government even if no other main roads in the Colony are to be contributed to?—

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Well, there is something to be said for it, but perhaps it would be going rather far, and it might be unfair to the other taxpayers of the Colony, although they derive a certain benefit from it because of the protection given to all by the Naval Station at Simonstown.

9788. You were speaking about the way in which the Divisional Council at present does its work, but I take it you were speaking more of the cost of that work than actually of the way in which the work was ultimately performed. You were not criticising the class of roads?—No; they are fairly well kept.

9789. These roads are made from macadam which they get from Fish Hoek?—No; they get it from our own area; from Mr. Gilmore's farm.

9790. In your own district?—Oh yes; we have any quantity of macadam there.

9791. We had evidence yesterday supporting the Divisional Council owing to to the fact that it had the macadam at Fish Hoek, and on the ground that they had material available there which no one else would be able to obtain; but you say that would not apply to Constantia district?—No; we have the material in our own area. They have been using thousands of loads out of the quarries there.

9792. And do they have to pay for that?- No; they take it under Sir John Cradock's Proclamation, I believe.

9793. So that, as a matter of fact, any board or authority would have to be given similar powers, otherwise it would be at a disadvantage?—Yes.

9794. With regard to the cottages on the farms, some, like your own, will no doubt be looked after, but you will admit that there are many which are far from being in a sanitary condition, and that at the present time the Divisional Council apparently does not possess the necessary power to deal with them?—They do deal with them in a way. A man comes around perhaps once a week or once a fortnight when there is a scare of some kind on. He just looks around and says, "All right," and off he goes again. I have seen that myself. (*Mr. Myburgh.*) Would it not be better if the police had a little more power in that way?

9795. I was coming to that, and I was going to ask whether it would not be better to take these health matters out of the hands of the Board and give them into the hands of the Government? Whether it would not be preferable that the Medical Officer of Health should look after it even if you had to pay a contribution to the Government for it?—I should think so, because you will then have some controlling influence to look after the thing. At present we are paying a lot of money and nothing is done.

9796. It is sufficient for one like yourself to say that the cottages on your properties are what they should be?—I don't say that.

9797. When small-pox broke out in the Constantia district were not the cottages found to be in very bad order at Klassenbosch?—I don't know.

9798. As a matter of fact the Horticultural Board works most satisfactorily, really because it has the Government behind it, and the Government carries out its recommendations?—Yes.

9799. And therein really lies its strength?—Yes; we advise the Government and pass resolutions.

9800. So that really something on the same lines as regards sanitary matters within the Constantia district would do admirably?—Yes.

9801. *Dr. Anderson.*] What would happen if an infectious disease broke out in a district like Constantia?—When the plague broke out the Divisional Council appointed an inspector who came round, and if anything was found in the way of an outbreak it was notified to the District Surgeon of Wynberg, who would then take the matter in hand. After that it really rested with the Police authorities at Wynberg. As soon as an infectious disease was discovered, the Field-cornet would immediately communicate with the District Surgeon at Wynberg, who would then take the matter up and communicate with the authorities in Cape Town if necessary.

9802. Supposing there was a case of diphtheria; would that be communicated to the District Surgeon?—In the case of a white person, the people would of course send for the doctor, and that doctor would communicate with the District Surgeon, but in the case of coloured persons, I can quite see that that would not be done at once.

9803. Don't you think the District Council should be given powers which would enable them to appoint qualified officers in a case like that?—To some extent, but it would not be necessary to a very great extent.

9804. Because an inspector goes round?—Yes.

9805. With regard to the wheel tax, don't you think that a tax on a two-wheeled carriage with a different tax on a four-wheeled carriage, the money paid being devoted towards the main roads would be desirable?—Oh yes, I think that would work.

9806. Is there any difficulty about collecting it?—No, it could be collected in the same way as the dog tax.

9807. I mean, should the tax be collected by the Government rather than the local authority ?—I would rather entrust the collection to the local authority because they would know the people, and they would know the number of carts, and so on, that a man had. The police of the district generally know everybody, and that is essential in a matter of this kind.

9808. *Chairman.*] You don't happen to know the date of the last valuation of which you have been speaking ? The last valuation I have here was sent on the 17th March, 1902, by the Divisional Council, and the whole of the Constantia property is therein valued at £159,425 ?—The last valuation was made somewhere between June and November of last year, I think.

9809. The valuation as far as Constantia is concerned is £57,000 in excess of the previous valuation for 1901, which was £102,807, and a 1d. rate brought in £428. This year the valuation is £159,425, and a rate of $\frac{2}{3}$ths of a penny brings in £415, which is practically the same?—But the proportion is about one-third more, and we have had an outbreak of phylloxera which has caused a large number of vines to be taken out within our area, which should reduce the valuations, instead of increasing them by £57,000.

9810. The whole property in the Division is valued at £16,764,723 ; towards which the outside properties contribute about £895,000 ?—Yes.

9811. And that gives a result here exactly the reverse of what is found in some other countries, as the United States of America, for instance, where there is the law known as "The Higbie-Armstrong Law," which provides that the State may pay half of the cost; that is to say 50 per cent., the county paying 35 per cent., and the towns 15 per cent.?—I have travelled a good deal in the United States and my experience is that you are almost always in towns and cities, as they are so close together. The interests are so different, as well as the conditions.

9812. I was looking at it on the general principle that the towns ought to bear a certain share, and you admit that the towns here bear too large a share ?—Yes.

9813. Because they pay £41,000 as against the other areas paying £2,000 ?—I am going according to the figures which are given, and I say according to those figures they are paying an unfair proportion.

9814. The exact figures for 1901 were as follows :—On the roads outside the Municipalities the Divisional Council spent £13,415, whereas the total contribution in rates from the properties outside the Municipalities during the year was £2,839, just one-fourth of the total amount, three-quarters being borne by the Municipalities ?—But then you must not forget that the Municipalities use the roads a great deal more than the people outside the Municipal areas.

9815. But in addition they have to pay their town rates as well as rates for the main roads within the Municipalities ?—Main roads are of comparatively small extent, whereas we have an enormous extent of road to look after outside the Municipalities. And then the people inside the Municipalities have all the other benefits. Our position on the farm is quite different from that of people in the Municipalities which are thickly populated, and therefore you could not expect to tax us to the same extent.

9816. No ; that would be wrong entirely, but the question was to get something like a fair distribution, and you admit yourself that at present the apportionment seems to be excessive ?—Yes.

9817. The only suggestion, then, is that the Government should contribute ?—Yes ; if the Divisional Councils are to be retained. I am very much in love with the idea of having these local area authorities and a wheel tax as a means of raising the revenue, but if that is not found practicable, then of course the other proposal of a Board of Works will be the best thing.

9818. With reference to that wheel tax, is it your idea that if a man pays it in any one division he should have a free run of the Colony ?—Yes ; after a man has paid it once he ought to be able to go wherever he likes.

9819. Well ; take the Cape Division, is there not a possibility that you might have 15,000 or 20,000 wheels paying taxes, and supposing, for example, they were all to go into the Malmesbury district, you would not have anything near that number coming the other way, and that would be a little unfair, would it not?—Yes ; but I don't think it is likely to happen.

9820. It is only by taking extreme cases that you can see how these things will work out. A similar difficulty was felt with the tolls until the unequal incidence led to their abolition ?—Yes.

9821. *Mr. Gurney.*] You mention the question of the water upon the farms outside the Municipality ; can you tell us at all what the class of water is that is being obtained in the Constantia district, and do you think that impure water is being drunk by many of the people ?—Well, I may say that most of these farms have their springs, and of course, as farmers, they would be careful not to drink impure water. We

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take very good care that the water is not polluted. But, as a matter of fact, in an area where you have a big river passing through it, there is no doubt that the water would be polluted, and that along that river people will drink impure water. That may be the case in Constantia, but still people don't seem to get sick from it. Take the stream of water there and you will find that most of the market gardens are carried on along its banks, and the people deposit a lot of manure for garden purposes. This would without doubt get into the water and pollute it.

9822. And yet that water is being drunk?—Yes; but it does not seem to be doing any harm, Of course I take great care not to drink it myself.

9823. There is a great deal of impure water being drunk?—Yes.

9824. Does that apply to Hout Bay, Mr. Myburgh?—No; we have had no fever there, and the water is perfectly pure. (*Mr. Cloete.*) You must understand that all the cultivation is done alongside the streams, and that of course will pollute the water.

9825. *Chairman.*] Do you know the tract of country near Wynberg called Zeekoe Vlei and Princess Vlei?—Yes.

9826. What is the condition of the land round about there in the winter time?—It is often flooded, and is practically the drainage from our area.

9827. Is the whole country more or less in a swampy condition there?—Well, it is all a swampy condition, but there are pools of water standing

9828. Do you know Zeekoe Vlei?—Yes.

9829. Do you know the piece of ground near that which has been bought by the Municipality of Wynberg for a sewage farm?—No.

9830. But you say that the whole country there in the winter time is very wet?—Yes.

9831. *Dr. Gregory.*] You stated that in your opinion health matters outside the municipalities should be carried out by the Government; don't you think that would be a retrogressive step?—I don't mean exactly the Government, but I mean by some constituted authority, whether it be by the Government or whether it be by a local authority under the supervision of the Government. It should be under Government control in any case.

9832. Quite so, under Government control, but should it not be the same local authority that attends to the other matters in the district?—Yes; when you have a municipality.

9833. By local authority, I mean a Board of Works such as you would wish to establish?—Yes.

9834. As a matter of fact you believe in the representation of the people by those bodies subject to the control and guidance of the Government?—Yes.

Mr. William Hay examined.

William Hay.

9835. *Chairman.*] You are at present a resident in Cape Town, and you are manager for the Liverpool, London, and Globe Insurance Company?—Yes.

9836. You were formerly editor of a newspaper in King William's Town?—Yes, for about 10 years.

9837. And you were also a member of the King William's Town Borough Council?—Yes; for about 3 years.

9838. You were also a member of the House of Assembly, and a member of the Town Council of Cape Town?—Yes.

9839. You have generally taken a great deal of interest in Municipal matters and Local Government?—Yes.

9840. What in your idea should Local Government aim at?—Well, I think Local Government ought to be first of all efficient, and then it ought to be economical, and in connection with the special matters that you have in hand with regard to the Municipalities in this Peninsula you have the fact that the criticisms on all sides show that they are neither efficient nor economical, and that some radical change is required.

9841. Now, generally speaking, if you have a considerable number of habitations in a locality, or a considerable number of properties, which are not separated by some well-marked lines, and if there exist no permanent boundaries by which they can be distinctly indicated, would you have them under one local control, or would you have them under several?—As far as I can see, under one control, because that would tend to efficiency and economy.

9842. And would you look upon the whole area in the Cape Peninsula, say from Sea Point to Wynberg, as really one area?—All one area, because it is one interest.

9843. The population is a very homogeneous one?—Yes.

9844. And this area is largely inhabited by people who have their place of business in one part and their place of residence in another part?—Yes.

9845. And you cannot say that there is a distinct people in Cape Town and another distinct people in Wynberg?—No; because the same people that you meet in Adderley Street during the day you meet in the suburbs in the afternoon and in the evening.

9846. And you would say that unless there are very strong reasons in the opposite direction they should be all under one local government control?—Yes.

9847. Do you think that the Local Government bodies here are efficient and economical?—No, I don't think they are either.

9848. Would you just specify instances in which you think they are not efficient?—Well; I think we might have a great deal more done for us than there is done at present, when you take into account what is done in Municipalities in some other parts of the world. There are complaints here constantly, and everything is more or less incomplete. Even in the city itself, old as it is, No. 6 District is practically a rookery, and the streets of the Municipality which should have been put in order years ago are a perfect disgrace.

9849. Take the neglected District, No. 6: to what do you ascribe that?—I think it is partly due to the system of election. I think that if the members of the Council had been elected to represent Wards, more would have been done for the district.

9850. They are elected now on a general ticket?—Yes, the whole town votes as one, and the result is that electors have no particular interest in any of the men, and when they are elected there is no Councillor whom one would specially look to as representing your Ward or street.

9851. At one time the Councillors were elected by Wards?—Yes; that is a long time ago.

9852. You don't know why the change was made?—I believe they thought it did not answer very well, but I don't know the reason, as it happened before I came here.

9853. Could you give us any instances of the want of economy in the administration of any of the Municipalities?—Well, you find, for instance, that each little Municipality must keep up a staff of its own, and they want more and more large works carried out, so that they must employ capable men, and of course that means greater expense. I think there is a great want of economy there. My opinion is that if there is one organisation you could have one staff composed of efficient and well paid men and you would see the economy of that very soon.

9854. Looking at the number of men who are elected to the various Municipal Councils; would you say that a selection, say of one in three, or one in four of them, would result in better administration?—Oh yes, as far as the Councils are concerned, and they would then have a more efficient staff of officials, and a saving would be effected.

9855. Is there anything in the character of the inhabitants that could be said to lead to Municipal inefficiency?—You see more than one-half of the people in the Peninsula are coloured, and it is from that class of the population that you get your labourers that do a hard day's work. These men will never turn up to take an interest in Municipal affairs because when they get home after a hard day's work they don't feel inclined to take part in these matters. And, as a matter of fact, the poll closes here before such a man gets away from his work.

9856. The result of that is that only one-half of the people, or even less, take an interest in the election?—Yes; it is only the wealthy and the middle classes that govern the Peninsula, and that will always do so: that is to say, the class of people who are represented by business men in Cape Town.

9857. And that is another reason why you think that one Council should transact the whole business?—Yes. Now, as far as the suburbs are concerned, I see that they are having their meetings at night, but night meetings have never been a success anywhere. You can do very much better by having a small Council to meet during the day, because business men could easily arrange to get away from business for an hour or so.

9858. The disabilities the suburbs are under in that respect are very considerable?—Yes.

9859. They have a difficulty in getting what you might call the best class of business men to come on the Board?—Yes, because a business man does not want to go home from his business and then attend to Municipal affairs.

9860. But look at the other side of the mirror; could the men come in from the suburbs and attend Council meetings in Cape Town?—Yes, because the meetings would be during the day.

9861. I presume you would see the necessity of having what you might call local men from the suburbs also on the greater Town Council?—Yes; but most of these men have businesses in the city. I think if you took the lists of the Councillors you would find that that is the case.

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9862. Men who have their business entirely and permanently in the city?—Yes, or at any rate who could arrange to come in without any great inconvenience.

9863. Now, do you look upon the question of water supply as one of the most urgent questions at the present time?—I do. All the returns of the Town Councils shew that new buildings are going up, and these have all to be supplied with water. You find that that is so both in Cape Town and the Suburbs, so that your water storage must be increased somehow or other.

9864. You are aware that it is true that, even with all the works that are at the present moment under construction, there is a near likelihood of a deficiency in the supply?—Yes.

9865. And therefore you are alive to the necessity of taking action beforehand to augment the supply?—Yes.

9866. You have not considered a scheme yourself?—I would introduce a salt water scheme in the whole area, and supply all the houses for bath and flushing purposes with salt water; and that would relieve the pressure on the fresh water very much.

9867. The engineers rather object to that. They say that the use of salt water has a deleterious effect on the fittings?—Well, they could have proper cisterns.

9868. You think that difficulty could be got over; and you merely urge the salt water system as a temporary expediency?—I think it would relieve the pressure permanently, because, even if you are going to extend the fresh water system, the salt water would still do very well for those purposes that I have indicated.

9869. Would you extend the salt water system to the suburbs?—Yes, right through.

9870. Pumping?—Yes.

9871. That would be rather costly, would it not?—Yes; but it would be better than buying land and making reservoirs.

9872. But now even with that do you not think that there will be a necessity for the fresh water storage to be extended?—It appears so. I think you will have to utilise all the areas that you can get and probably still go further for water.

9873. You have no knowledge, or you have not paid any attention, to the schemes talked of at present?—No.

9874. Now, in the matter of drainage?—Yes; you see a great deal will still require to be done. Out at Sea Point, for instance, many of the roads are cut up and washed away by heavy rain. There is no proper surface drainage.

9875. By the water from the mountains?—Yes, there are steep streets, and the water simply cuts the streets into pieces, and the soil is carried down to the main road.

9876. Are there any works being carried out at the present time to remedy that state of things?—The Corporation is not well enough off to deal with them and they cannot tax the people sufficiently for the purpose. What loans they have got they have spent entirely on a water system.

9877. That is spent on the sewerage, I presume?—Yes, but I was talking about the surface drainage. I want to see the streets made and proper gutters constructed at the sides.

9878. You reside at Sea Point, don't you?—Yes.

9879. And you speak from personal observation?—Yes.

9880. Now, as far as Sea Point and Green Point are concerned, how does the system of sewerage at the present time meet with the demands of the people?—I think every house is now connected with the main, and so far it meets their wants, but it is a very unsatisfactory arrangement on account of the foul gases wherever the constructions have been made.

9881. Do those gases come into the houses?—I have no evidence of that, but when you walk about the streets you very soon experience them. The Municipality are using the side pillars of the tramway and out of those pipes these gases come.

9882. These are utilised as ventilators?—Yes, and it is when you pass one of them that you experience an offensive gas, which you would rather escape. And then the whole question should be gone into with regard to the beach itself.

9883. You mean the outfall?—Yes, because you have the Cape Town outfall on one part of the beach and the Sea Point outfall in another direction. The rocks along the coast are all broken and the stench is very bad sometimes. I think the sewage is carried on to the rocks.

9884. Have you observed any there yourself?—No, but the stench is very bad sometimes, so bad that we, although living off the main road, get the full benefit of it, and we are sometimes obliged to close our doors and windows.

9885. Has the Sea Point outfall been completed?—That I am not sure of.

9886. The Cape Town outfall, we are told, is not complete?—So I see. I was round there a few days ago.

9887. So that possibly that difficulty could be dealt with when the works are carried out further to sea?—Yes; I think if the pipes are extended further out the sewage would be less likely to be thrown back on to the rocks.

9888. As far as public lighting is concerned in Cape Town, have you any remarks to offer on that?—The gas seems to be of a very poor quality, and there is no Government authority to test it, so that we are obliged to take whatever they like to supply.

9889. You think that if there is one Municipality that could take over the gas and provide electric lighting it would be greatly to the advantage of the people of the Peninsula?—It would, at any rate, be greatly to our advantage, because we have no electric light.

9890. And does the gas do any harm in the houses?—It is a very poor light, but I have not noticed any harm from it.

9891. You are supplied by a Company?—Yes, by a Company in Cape Town.

9892. Is there no Sea Point Company?—No, it is a Cape Town Company.

9893. And that Company has been in existence for a number of years?—Yes, a long time.

9894. Have you compared the cost of gas light in your neighbourhood with the cost of it in other parts of the world?—It is very much more expensive here. I think they charge us 10s. 6d. for 1,000 feet, and I think in London you get it for 4s. 3d.

9895. With reference to the matter of municipal regulations, what have you to say?—That seems to me to be one of the things that might be very well thought of, because these different Municipalities have their different regulations, and the people are more or less at a disadvantage in that respect. You cross a stream and you have another set of regulations. What is an offence in the one area is not an offence in the other.

9896. Would you be in favour of amalgamating all these Municipalities?—I think that would be a great advantage.

9897. From Wynberg to Sea Point?—Yes, at least.

9898. You estimate the total population at about 150,000?—I daresay that is about right, but I have not gone into it.

9899. From what you know of Municipalities in other parts of the world, would you say that this is rather a large area?—No; take the large number of coloured people off first of all.

9900. Then it would reduce the population to something like 75,000 or 80,000 people?—Yes, and they have all one interest. The merchant here in the City is the resident at Wynberg, and he should have the same Corporation to look after his property in the city and his dwelling-house in the suburbs.

9901. Do you think that a Council of 25 or 30 men governing an amalgamated city would produce better municipal results?—I have not gone very carefully into that, but I should say something like that number would meet the case. I think there are at present 18 Councillors in Cape Town, and a few more should be added for the whole area.

9902. Have you ever thought of the reason why the Municipal Councillor is not highly honoured in this country?—It is merely a sort of Colonial fashion to look down upon everybody. We are always disparaging one another, but I think it is only Colonial habit.

9903. It is a local disease really?—Yes; and then a Councillor often interferes perhaps with what does not concern him; besides one hears a good deal about jobbery and corruption and things like that.

9904. But apart from the question of jobbery, which would be a very grave accusation, is there a tendency on the part of the Municipal Councillors to go into matters that they need not to go into?—Yes: matters that they might leave to the men who are really in charge of the work. For instance, the man in charge of the work should be left to buy cement, but some Councillor or other will take it in hand, and will then more or less get into trouble.

9905. That is a general disability?—Yes.

9906. And I presume that that might create in the public mind a kind of belief that men don't always go into the Council from a purely public spirit?—I don't know that there has been any proof of anything of that kind. I sat in the Council here with different men for three or four years, and I have heard these things said about different men, but I don't believe there is any truth in it. Some men naturally take more interest in a particular work than others. A man who takes an interest in a reservoir for instance is often thought to have more than the public good in view. Take for instance Sir John Woodhead, through the greater part of his Municipal life he was maligned by

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the people in that he had some other interest in all that he did for the community, but of course it is perfectly clear now that he only did it all for the good of the people.

9907. Well, seeing that Sir John Woodhead incurred that odium while Mayor of the principal Corporation in the Peninsula, it is a poor outlook for the man coming after him?—That is the sort of thing that is said even of Members of Parliament.

9908. Are they not exempt?—No; they are always supposed to be looking out for a seat in the Ministry or a seat on a Commission.

9909. You mean nothing personal by that?—No; but returns have been called for in order to know how much each member got out of each particular Commission.

9910. Would you be in favour of members of the Councils for an amalgamated Municipality being paid?—Yes, I am in favour of everybody being paid. I don't believe in free service. Members of Parliament are paid; members of the Harbour Board are paid; and if a man goes on to a Company to look after his shares, he gets paid. It is a curious thing, but if you pay men you will always get men.

9911. Supposing that we were to amalgamate all these Municipalities and we found that one Municipality had a very much larger debt than that of any of the others, do you see any way of being able to deal with that side of the question?—No; except to take them all over and convert them into one consolidated debt. I don't know that there is any other way out of that. I believe that that is the principle that Parliament has adopted when it has annexed one state to another. Then the debt of such an annexed state has been made part of the debt of the Colony.

9912. Do you think that would be better than making the areas continue to be liable in respect of their debts?—Yes; because that area which has a very large debt will perhaps have a very valuable asset to put in on the other side.

9913. In Cape Town, is there any system of what is called "special assessment," by which people living in one part of the town are specially rated for the betterment of that part of the town?—That can be done under one of the Acts I know.

9914. That is not given effect to?—I don't know whether it is or not, but they have the power to do so under the Municipal Amendment Act, I think. They can in that way set apart an area and specially rate the people in respect of that area.

9915. Could not that principle be carried out in the suburban Councils as they now exist?—Yes.

9916. Could you not look upon their debts as a special charge upon the special areas?—But the area has its security, and if you consolidate the whole debt you would have the whole area as security for the debt.

9917. This is a point that has been raised by some of the Municipalities in the suburbs: that they object to come into a unified Council because of the question of the debt. They say, for instance, the debt of Cape Town would be a charge on them, and why should they be rated for anything that they don't get the benefit of at all?—They are going to benefit by the general economy that would result, and besides this debt is not going to be paid off. It will probably remain for ever.

9918. But the debts in the other Municipalities are mostly amortization debts that can be worked off?—Yes, but I don't see that any particular area would suffer by putting all the assets and all the debts into one and having a unified debt. I think, if the Government would guarantee the debt they would be better off, because then I think they could refloat their loans at a smaller rate of interest.

9919. And then that would give them the means of carrying out matters which are so very desirable without having further taxes upon the people?—Yes. I don't think they would want very much more in taxes, because the taxes would be equalised. In some places they are now levying sixpence, and in other places four pence, and so on; these will all be equalised, and I don't think it will make any material difference to the individual householder.

9920. With reference to the Divisional Councils, Mr. Hay, have you given any attention to the work done by them?—I see it has been discussed what the position of the Cape Divisional Council should be, and I know that years ago the matter was before Parliament. At that time Sir James Innes, who was the member for the Cape Division, pointed out the difficulties there would be. There are a good many reasons why we should not have the Council here, but then there is the difficulty in dealing with the other parts of the country, as they would also come in with their claims. But quite apart from that, I think that there is plenty of ground for the Divisional Council wherein to do good work. Probably the Councils want more power than they have at present.

9921. But in the case of the Cape Divisional Council, don't you think it is in a somewhat different position from the other Divisional Councils of the Colony?—Yes, it is.

9922. For instance, from the point of view of revenue; the total revenue of the Divisional Council for the present year is something like £40,000?—Yes.

9923. And of that amount only some £3,000 is raised from property which you might call non-municipal property?—Yes.

9924. Leaving a balance of close upon £37,000 to be raised from Municipal properties?—Yes.

9925. And there is no other division in the Colony where such a state of things exists?—No; but still every other Council gets something from the principal town.

9926. Then there is also a difference from the point of view of the extent of main road passing through the Municipalities in the Cape Peninsula, which is very much larger than the extent of main road passing through a country village?—Yes, of course that is so.

9927. We find that the Municipalities of the Peninsula are willing to take over the main roads passing through their own areas on certain conditions?—You mean within their boundaries?

9928. Yes.—Well, that is a course that I favour for all the Divisional Councils in all the districts. I don't think the Divisional Council should go and interfere with the towns at all, excepting getting a contribution from them.

9929. You still think that the towns should contribute towards the maintenance of the outside roads?—Oh yes; these roads exist for the benefit of both the farmers and their produce-buyers.

9930. Could you suggest any change that would be likely to make the Divisional Councils a more appreciated body?—First of all, I think, you would have to get rid of the Civil Commissioner as the Chairman. He is not in his right place there at all, because if he proposes anything he is supposed to have a foolscap instruction from the Colonial Office; and if he does not propose anything, he is supposed to be a very stand-off sort of man. If the Government wants to know what is going on, the Civil Commissioner could still be a member, and could attend whenever he finds it convenient to do so.

9931. As a rule, an elective Board with an official chairman is not likely to be a success?—It is not a satisfactory concern, because so many look to the chairman for instruction and guidance.

9932. And to take other interests as well?—Oh yes.

9933. I suppose you have seen up-country difficulties that Divisional Councils have had to deal with in connection with the official chairman?—There have been difficulties, of course, in some cases.

9934. *Mr. Gurney.*] You will have seen, however, that the official chairman has sometimes been the salvation of the Council?—Oh yes; it depends upon the kind of man you have.

9935. *Chairman.*] You said they could have a Civil Commissioner on the Board as well, although he is not the chairman?—Oh yes.

9936. Do you think that anything could be done in the way of giving a Government officer greater supervision over Municipal accounts?—I think that has been provided for by the Cape Town Act, under which the Government appoints one of the auditors, and I think it is a very valuable clause.

9937. Would you go so far as to say that Government audit might be added?—Yes; I know what the intention was, because I had a good deal to do with that Bill. It was intended that there should be an audit like the Government audit, that is to say that the Council should be stopped from incurring any further expenditure when they have come to the end of their vote, but somehow or other the wording of the Act on that point is not so clear as it ought to be.

9938. Would you extend that principle so far as to say that something might be done in having some kind of supervision over valuations as well?—Well, I am very much in favour of the system which obtains in Canada, where two valuators are appointed to obtain the amount of the valuations.

9939. Who appoints them?—The Local Authority appoints these two men who go to work on a certain basis—cash selling value of the property—and these two men hold their Court, at which they hear what any man has to say against their valuation. If the ratepayer is not satisfied with the decision of these valuators, who have the right to reduce the same upon objections taken, then they can be taken before another Authority, and if the decision goes in favour of the ratepayer or ratepayers objecting then these two men have to pay the costs in the case.

9940. And you say that the Local Authority appoints these two men?—Yes, and when once appointed the Municipality or Local Authority does not interfere with their valuation. I think that interference is one of the weaknesses of the Municipalities all through South Africa.

9941. *Mr. Gurney.*] That they are judges in their own case?—Yes; and I have seen gross cases of friendship shown.

WEDNESDAY, 28TH MAY, 1902.

Present :

Hon. Sir BISSET BERRY (*Chairman*).

Dr. A. J. ANDERSON.	Mr. W. E. GURNEY.
Dr. A. J. GREGORY.	

Henry Miller Oakley examined.

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9942. *Mr. Gurney.*] You are a boring engineer in Cape Town ?—Yes.

9943. You had considerable experience in connection with boring in the Government service before you went into business on your own account ?—Yes.

9944. You were established in partnership with Mr. Saunders, who also has had a great deal of experience ?—Yes.

9945. You have lately severed your partnership ?—Yes.

9946. How long have you been established in Cape Town ?—For a little over three years.

9947. Can you give us a description of the amount of work in the Cape Peninsula which you have undertaken during that time and the approximate results ?—I should say, from the rough calculation which I have made, that we have, by boring, obtained 1,500,000 gallons of water per diem at a cost, including the pumping machinery, of considerably under £10,000. In all I think we have put down about 50 bore holes.

9948. What has been the quality of the water obtained ?—In the majority of cases it has been very good; fit for domestic use. Analyses have been made of it.

9949. By whom ?—By both the Government and Dr. Marloth.

9950. By domestic use, do you mean drinking purposes ?—Yes.

9951. I suppose that, practically, these results have been obtained in different neighbourhoods ?—Yes ; pretty well all over the Peninsula.

9952. Has the quality been practically the same from different bore holes in particular neighbourhoods ?—Not altogether: for instance at Maitland, near Mr. Van Ryn's property, one hole was put down some years ago and the water obtained from it was quite brack, but in two other holes which were put down for the Public Works Department the water was absolutely fresh and pure.

9953. How near together were those holes ?—They were within a distance of half a mile of the brack water hole.

9954. Are there not particular areas where you expect to find brack water ?—Yes, there are, but in the neighbourhood of Newlands you never expect to find brack water. At Salt River the water is slightly saline but fit for domestic use ; whilst at Maitland, with one or two exceptions, the water obtained has been absolutely salt.

9955. How near to each other have you put down bore holes with satisfactory results ?—At Woodstock we put down three holes for the De Beers Cold Storage Syndicate, all within a circle of about 20 yards. Each one of those holes gave the same results. They are now pumping about 1,000 gallons per hour from each hole. The same may be said with reference to the South African Brewery at Woodstock. Two holes were put down within 20 yards of each other, but we did not find that one hole affected the other in any way.

9956. From your experience in the Cape Peninsula, does it seem to you that a very large number of additional bore holes might with advantage be sunk and still obtain good supplies from them ?—Certainly; I think there is hardly any limit to which, from our experience, one could not go. I can speak of one hole at Newlands which we put down for Mr. Ohlsson. The hole was bored to a depth of 200 feet, and there was and I believe there is still actually flowing from it 80,000 gallons of water per day above the surface. Out of that hole I have not the slightest doubt but that, with proper pumping machinery, at least 200,000 gallons of water per day might be pumped. The water from that bore hole is identical with the water from Kommetje Spring. It is beautifully fresh and clear.

9957. Has no collateral effect been experienced by the springs in consequence of the sinking of these bore holes ?—I do not think so. I believe that Mr. Bennett, the Engineer to the late Suburban Water Works Company, took very careful gaugings of the Kommetje Spring whilst we were making our bore hole for Mr. Ohlsson. The reason was because the bore hole is very close to the Kommetje Spring—just across the

road. I gathered from Mr. Bennett that his gaugings did not shew that there had been any effect whatever upon the flow of water from that spring by the boring of the hole.

9958. What has been the average depth to which you have had to bore to find satisfactory water?—The average has been not more than 100 feet.

9959. But this particular hole to which you have just referred was carried to a depth of 200 feet?—Yes, but the deepest which we have made was one at Rosebank which was carried to a depth of 230 feet.

9960. What is the highest point at which you have commenced to sink a bore-hole with satisfactory results in the Peninsula?—I should think that the Newlands bore-hole to which I have just referred is the highest point at which we have bored.

9961. Whereabouts is that?—It is just alongside the Newlands Avenue: but I consider that by going higher similar results would be obtained.

9962. Then there is nothing to show that the higher you go the more difficulty you would have in obtaining satisfactory results?—Nothing at all.

9963. But were you not boring at a higher level at Woodstock?—Yes.

9964. And was not that abortive?—Yes; but you could hardly call that boring in a part of Table Mountain. It was Devil's Peak, and there was no indication, whatever, to show that any water would be obtained.

9965. Were you, then, not expecting to find water there?—It was very doubtful.

9966. You were boring at the desire of the Woodstock Municipality?—Yes.

9967. Did they select the site?—Yes; we guaranteed to find them water lower down, but they wanted us to bore at this particular site.

9968. The impression that a witness, who came before this Commission from Woodstock, had, was that you selected only one particular spot in Woodstock where you were prepared to bore with success, in a yard?—No; we were prepared to bore in vacant ground opposite the Municipal Offices—on the other side of the road. We selected that particular spot because it happened to be vacant ground. We were quite certain that we could get water there.

9969. You made them an offer to bore and undertook to provide a certain quantity of water, and you were to be paid only in the event of finding that water?—Yes.

9970. Was that boring to be undertaken at one particular spot only?—Not necessarily; there were two sites. One was the Municipal garden and the other was the vacant land on the other side of the road. Those were the only two sites that we were asked to bore at except the site on the mountain.

9971. Were you limiting your offer to those particular sites?—No.

9972. But instead of accepting that offer the Woodstock Municipality wished you to go to this particular site on the mountain, and limited you to that. They wanted you to go to this site, where you did not expect to find water?—That is so.

9973. Then is it within your knowledge that after that the Oliphant's Hoek scheme was taken up by the Municipality?—We renewed our offer, after the abortive attempt on the mountain, to bore lower down, but they then had some idea of the Oliphant's Hoek scheme and that is why they would not accept our offer.

9974. In making that offer and going into the question of boring for the Woodstock Municipality, had you in your mind the possibility of supplying absolutely sufficient water for the wants of Woodstock or only of supplementing the existing supply? Would you give us your opinion as to what number of bore holes would be required to supply the requirements of Woodstock?—I think Woodstock's requirements might be met by even one large hole at a carefully selected site.

9975. You think that one hole would yield sufficient water to supply the requirements of the Woodstock Municipality?—Yes, a large enough hole might be made.

9976. Although in all probability the water would require pumping?—Undoubtedly it would.

9977. Then your experience of boring for water in this neighbourhood leads you to believe that the wants of Woodstock might be entirely supplied by boring?—Yes, I think so, but what I am still more in favour of is a general scheme for all the Municipalities on the Newlands side of the mountain. I believe that ample water could be obtained there by means of boring and by a tunnel driven along the base of the mountain. If that were done ample water could be obtained for the supply of the whole Peninsula.

9978. Is it not thought by a good many people that boring in that manner would practically only take away the present supplies of water on the mountain; that your scheme would simply be tapping those supplies?—I do not think so. It might affect springs in the immediate neighbourhood, but only to a very small extent.

9979. You do not think that it would be tapping the supplies we have already stored on Table Mountain?—Do you mean in the reservoirs?

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9980. Yes.—I do not think so at all. There may be a certain amount of percolation through the porous sandstone from the reservoirs, but I do not think that tapping the water at the base of the mountain would have any effect on the reservoirs at all.

9981. Any idea of that sort would be quite a myth?—Quite.

9982. There have been those who have thought, and urged, that bore holes are liable to contamination from surface drainage and impurities getting into the water in that way?—I think that a bore hole, properly cased, is the least liable to contamination of any water supply, much less than an open reservoir. As a matter of fact, I consider that it is almost impossible to contaminate a bore hole. It is impossible to get any contamination from the surface in the immediate neighbourhood of the hole.

9983. The hole is so small?—No; that does not affect it. But take the case of the Newlands hole. That hole is entirely lined, cased right down the whole 200 feet. All that casing is driven down so that it is impossible for any water or contamination to find its way down from the outside. And then the pipes are, of course, brought above the surface and, when pumping, it is absolutely covered up and nothing can get down. On the other hand, with an open reservoir it is a very simple matter to pollute the water.

9984. But of course reservoirs are away from the population and possible sources of contamination in a way that bore holes would not be, and that has probably given rise to the idea, to a certain extent?—Perhaps.

9985. Do you not think that bore holes being in the midst of the population is likely to cause that idea?—It may be, but any evil disposed person could go up to the reservoir and pollute it, if he wanted to, whereas it would be impossible with a bore hole, because it would be actually covered up.

9986. Have you been doing work for the Government Railways?—Yes; my late firm put down two bore holes at Newlands Station, and these two holes, together, yield about 70,000 gallons of water per day by pumping.

9987. And is the water perfectly satisfactory for locomotive purposes?—Most satisfactory; in fact it is so good that they are pumping straight into the main.

9988. Which main?—The main of the Railway Department, along the Wynberg line.

9989. Did you sink bore holes for them in the Woodstock district?—No, I think they only have one bore hole and that is at the Steam Shed outside Cape Town.

9990. Who sunk that for them?—They sunk it for themselves.

9991. So far as Railway requirements are concerned, would you venture to say that they could be entirely met by boring?—Yes, entirely; the railway could be made quite independent of any other source of supply.

9992. Have you had any opportunity to judge of the success of boring in the neighbourhood of the Docks or anywhere down there?—I think that any attempt to bore for water there would meet with unsatisfactory results. The water would be bound to be brack. I know that in the neighbourhood of Dock Road, two or three bore holes have been put down, but the water from them has been very brack.

9993. Have you had any experience of the water from boring in the Sea Point neighbourhood?—That is also brack.

9994. So that it would really be in the direction of Newlands that you would expect a large supply of good water, and only there?—That is the ideal spot, I consider, both for the quantity of the supply and the quality of the water.

9995. You have told us something of the cost of these 50 bore holes, is that a fair indication of what the cost would be in future in large boring operations?—That is the cost of a number of holes, but one large hole would cost considerably less, there would be a saving in the pumping machinery and in the quantity of piping.

9996. You would expect in the Newlands district to have to go to a depth of about 200 feet?—Yes; but there is the possibility that the higher you went up to commence your hole the lower you would have to bore for the water. I would be in favour of a trial boring for water, and then if a good quantity of water, of a good quality, was found, a shaft should be sunk.

9997. Would that be the more economical way of obtaining a large supply?—Yes.

9998. When you speak of Newlands you refer more particularly to the direction of the Avenue rather than the neighbourhood of the Albion Spring?—I mean the base of the mountain embraced within the Newlands area.

9999. *Chairman.*] Have you to pump the water in the case of every one of these bore holes?—With the exception of the Newlands hole, which, as I have already stated, the water flows from. But, by pumping with a deep well pump and powerful machinery about 200,000 gallons per day might be obtained.

10000. But in the case of any one of those other bore holes, does the water rise with such force that you can do without pumping?—No, in every case you must pump.

10001. In every one of those fifty bore holes there must be a pump?—Yes.

10002. And to raise this 1,500,000 gallons through these bore holes that you have put down, you require to use 50 pumps?—Yes; but if you had one large hole you would only need one large pump.

10003. Let us take the case of Woodstock: you have there about 30,000 people, and to give each one of those inhabitants 30 gallons of water per diem you would have to raise between 900,000 and 1,000,000 gallons of water per day. Have you put down any bore hole that would yield that?—No, we have not, because the holes we have put down are not sufficiently large.

10004. The only approximate delivery to that is the natural Albion Spring at Newlands which yields about 1,500,000 gallons per day; even there the water has to be pumped?—Yes.

10005. So that it would be a very costly business to supply Woodstock with water by boring, and pumping?—I would not have so many holes: the holes which I would make would be larger ones, and I think that the cost of boring those holes, and supplying the pumping machinery, would be very much less than the interest on the big loan which will be required for bringing water from outside as is at present suggested.

10006. Did you recommend any scheme of this kind to the Woodstock Municipality? No, we were never asked.

10007. Has there been any falling off in the supply of water at these bore holes since the time they were put down?—None that I am aware of. I have not been able to ascertain any diminution either in winter or summer, and I have tested the supply at several.

10008. What has been the cost of working one of these bores, including men's wages, &c.?—The cost of pumping at these bores by wind power is hardly worth mentioning, and even by electricity it is very little indeed. The Tramway Company had a bore hole put down for their use, and I was informed that the cost of the pumping had been very trifling—only a few shillings per month.

10009. But they have the energy on the spot?—That is so. I heard from them that it takes about one-half horse power to pump up sufficient water for their requirements, and at one time they were pumping about 30,000 gallons per day by means of a half-horse power motor.

10010. What diameter of bore did that come from?—A 6 inch bore.

10011. What is the largest bore that you have put down?—The 7 inch bore hole which we put down at Newlands.

10012. And that yields 80,000 gallons of water per diem?—Yes, flowing, but that is no criterion of what the actual yield of the bore hole might be.

10013. Did you state what it had cost to bore that hole?—No; the boring was done for a private individual, and I would not like to state the cost without his consent.

10014. Speaking generally, is it a certain sum per foot for putting down the bore?—Yes, so much per foot. I think that Mr. Bennett or Mr. Ohlsson would be glad to give you full information about the Newlands bore hole.

10015. When was it put down?—About 3 years ago.

10016. Is that water being used for brewery purposes?—I believe so.

10017. You spoke of tunnelling into the mountain, will you please describe what you mean?—I do not mean a tunnel running at right angles to the strata, but a tunnel along the base of the mountain at an ascertained depth which might be obtained by boring first.

10018. Is the idea just to catch the drip from the roof of the tunnel?—No; to catch the water flowing from the base of the mountain and finding its way into the sea.

10019. Do you mean underground to the sea?—Yes.

10020. And your idea is to intercept that?—Yes.

10021. Do you anticipate that you would have a steady flow of water in this tunnel at all seasons of the year?—I think so, although there might be some slight diminution in the dry months of the year. That, however, I do not think would be very much.

10022. Your idea, I take it, is that Table Mountain is a great natural reservoir?—Yes; a sort of sponge.

10023. You said that in the neighbourhood of the Docks, and at Sea Point, the water yielded by boring had been brack. Do you take it that that is due to an influx of sea water?—Yes.

10024. And you contend that the sea water does not travel in the direction of Newlands?—No.

10025. I suppose your idea is that there must be some large underground reservoir of water from which the Albion spring and the Kommetje Spring and this new bore amongst

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others, derive their supply?—Yes; that is the water running between the laminations of the rocks. I have noticed at Woodstock, close to the beach, that water from the bore has been practically fresh, and I think the reason is that the flow of water towards the sea is so great that the salt water has no chance to get in.

10026. In fact there are conditions underground there which one can hardly estimate without very much greater excavation than is ever likely to be attempted?—Yes, that is so.

10027. Has there been much boring done by private individuals for their own use?—Nearly the whole of the bore holes of which I have spoken have been for private people; the only exceptions being two for the Railway Department and some for the Public Works Department at the Kafir Location.

10028. And I presume that in most cases it is the air motor which has been used to pump the water?—Yes; those who have machinery, however, can easily run a pump from their own shafting.

10029. *Dr. Anderson.*] Have you any analyses of the various specimens of water obtained from your bore holes?—I have a few, but they have been obtained by the owners of the bore holes concerned and I could not very well give them to you without their consent.

10030. Can you give us any idea of the number of grains of chlorine per gallon of water?—Not without reference to the analyses.

10031. As to the cost of pumping, where a wind motor is not used, can you give it to us for every 1,000 gallons of water pumped?—No, it varies so much. For instance, I may mention that to those who have machinery running at their works it costs practically nothing, because they have not to consume any more fuel to keep the pumping machinery going. Of course, if an engine had to be run specially for pumping the water it would be an expense.

10032. In some cases the water might be required to be pumped to a reservoir at a higher level?—Yes; but that makes very little difference in the actual cost of pumping. The same pump which pumps up the water out of the borehole could deliver it at a higher level.

10033. I suppose that the reason why the Woodstock Municipality wished you to bore so high up the mountain side was to get a supply of water which they could get to run down to where they wanted it by gravitation?—I suppose so. As a matter of fact, they wanted to supply the Walmer Estate, and that might have been the objection to obtaining the water at a bore hole lower down.

10034. They could get the water lower down, but they wanted it to supply the places up above?—Even if they had put the bore hole lower down the cost of pumping the water would have been very small.

10035. How many hundred feet is Walmer above the place where you wished to bore for water?—I think it is about 200 feet, but not more than that.

10036. But it becomes a matter of expense to lift water a couple of hundred feet?—It takes more power certainly.

10037. And you would require a different class of pump?—You could use a combined lift and force pump.

10038. Do you really think it a feasible proposal to obtain a public water supply for the Cape Peninsula by boring?—I do.

10039. But you would require to use machinery for pumps for work of that sort; you would not be allowed to depend upon the wind?—If you drove a tunnel along the mountain slopes at a sufficiently high level, I think the water could be utilised for certain areas without any pumping.

10040. Have you any data which you can lay before us to give us some idea as to how much water could be obtained by the means you suggest?—It would be impossible to say; you can only judge by the water which is obtained from the bore holes which we have put down, and I think that a good indication might be drawn from the hole which we put down for Mr. Ohlsson at Newlands.

10041. Supposing that there were in existence a natural reservoir underground, and you were fortunate enough to come upon it with your bore hole, you would get plenty of water?—I would not call it a natural reservoir. I should say that it is water flowing along a very large area in the fissures of the rock, and you would tap certain portions of it in almost any place in which you put down a bore-hole, and that is why I am in favour of a tunnel.

10042. If you were to put down, say, two bore holes each of 6 inches in diameter, within a distance, say, of 20 yards of each other, would you expect to obtain from them double the quantity of water which you would get from a 12-inch bore hole at either of those spots?—Not necessarily.

10043. You would expect that from your experience, except at Newlands?—I would expect more water from a 12-inch hole than from a 6-inch hole, but I would not expect more water from a 12-inch hole than from two holes of 6 inches. Mr. *H. M. Oakley.* 28th May, 1902.

10044. But one 6-inch hole might exhaust the water supply in that neighbourhood, and putting down a 12 inch hole would not increase your supply in that case?—It might, but the bigger the bore hole the larger its diameter, the larger the pump you could insert, and therefore the greater the quantity of water you could pump up.

10045. You could only extract the water from a certain radius of your hole?—No, that is not the way to look at it. It depends entirely upon the fissures running through the bore hole.

10046. You might not hit upon fissures of any magnitude with your pipe?—We might not, but in all the boring which I have done I can only recall two failures. In every other case the boring has yielded large supplies.

10047. Supposing we wanted a supply of 1,000,000 gallons of water per diem, how should we go about the work to secure it by boring?—I would not expect to secure it out of one hole, but I would have a hole put down for prospecting purposes, and, if I got indications of a sufficient quantity of water, I would have a shaft sunk and then a tunnel driven along the hard rock to intercept all the water flowing in that direction.

10048. Would not that be a very costly affair?—I do not think so in comparison with the other schemes which are now in progress for a water supply.

10049. You would sink a shaft, say, 200 feet deep, and then drive a tunnel for a considerable distance?—Yes.

10050. *Chairman.*] That would be like mining; would it not be very costly?—I suppose a shaft could be sunk for an average of £3 or £4 per foot.

10051. *Mr. Gurney.*] That would be, say, £800 for the 200 feet?—Yes.

10052. And then how much would you spend on your tunnel?—Even supposing that £8,000 was spent, what does it amount to compared with the cost of the schemes which are now before the Commission?

10053. *Dr. Anderson.*] You think that from that one shaft and tunnel you would be able to get 1,000,000 gallons of water per diem?—My opinion is that you would get a great deal more than that.

10054. What locality do you favour for your operations?—I favour the Newlands area.

10055. You do not think it could be obtained from the Cape Town area?—I do not think that the water would be so good as the Newlands water. We know that the water in the neighbourhood of Woodstock is slightly saline, although they do use it for domestic purposes.

10056. What is the general character of the cores obtained in your boring?—Clay slate.

10057. Is that called the Malmesbury bed?—Yes, it is practically the Malmesbury bed.

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10058. *Chairman.*] You are a member of the Town Council of Claremont and reside in that Municipality?—Yes. Mr. *Henry Beard.*

10059. You were formerly a member of the Legislative Assembly of the Colony?—Yes.

10060. And you are a merchant in Cape Town?—Yes.

10061. You have, no doubt, some knowledge of the circumstances under which the Liesbeek Municipality broke up?—Yes; and I also had a little to do with the genesis of it. I was one of a small Commission which was appointed by the Government to enquire into the question of the establishment of the Municipality. As perhaps you will remember, in 1881, the Scanlen Government passed a Bill for Village Management, and in the following year they passed a general Act now in force for Municipalities. They then issued a small Commission of a few members to consider the question of a Municipality for the suburbs. The Village Management Boards, I think, had been created just before that—at anyrate, it was a very short time that they had been in operation. The Commission to which I allude consisted of Sir Richard Southey, Mr. Farmer, Mr. Fuller, Mr. Vintcent and myself—I think that was all. We considered the question before there had been much working of the Village Management Act, and then the only question that we discussed, even in Committee, was whether there should be one or two Municipalities, and we unanimously decided in recommending one only.

10062. What about Cape Town?—I am speaking entirely of the suburbs. Unfortunately this Village Management Act, or certain Committees appointed by the Government in consequence of a desire for them having grown very strong,

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having started working, it led to something like an effort towards Local Government of a restricted kind, and the popular feeling was very much opposed to giving up these small local committees. There was a good deal of feeling on the question, and when the election came for the larger Municipality I believe I stood and was ousted, and members who were in favour of the Village Management idea were elected. The result was that the Liesbeek Municipal Council, as elected, were entirely in favour of these restricted areas, and they determined that they would work it in that way. I mention this because I see that it has been stated that the Liesbeek Municipality was created and worked as one large Municipality, whereas, practically, it never did. The Council divided themselves into Committees for each neighbourhood, and worked the area upon that principle, although under the name of one Municipality. I think it is most important that I should say this because the Liesbeek Municipality has been referrred to as an experience of a large Municipality for the suburbs which has been tried and departed from. Subsequently another Government, under, I believe, the late Sir Thomas Upington, acceded to the popular demand and established the present Municipalities.

10063. At one time Wynberg, Claremont, Rondebosch and Mowbray were united?—Nominally; but there never was the working as of one Municipality. The Council was worked by those who had been elected from amongst the number of those opposed to one Municipality, and they worked the area as separate Municipalities under the names of Committees, and then they met in Council and there confirmed everything that had been done by the Committees.

10064. Again, Rondebosch and Mowbray were at one time united and formed a Liesbeek Municipality, did they not?—Yes, but subsequently it was again divided into Rondebosch and Mowbray, and then there was a strong feeling that Newlands should be divided from Claremont. I suppose, had that been done, the feeling might have gone on until division had taken place *ad infinitum*, if encouragement had been given to it.

10065. Can you tell us when any combined movement for drainage and water purposes was first made in the suburbs?—In 1892 a good deal of feeling was aroused as regards the necessity for some large scheme. The various Councils were agitated in the matter and brought it before the Government, and then the Attorney-General, now Sir James Ross-Innes, prepared a Bill which he submitted to us before the Session of Parliament. We went into it very fully and offered many suggestions to him. He considered the matter fully with us. It was a long Bill which he drafted, and its purpose was primarily to deal with drainage, but also to give powers for water and some other things, such as preservation of the mountain against fires, &c.

10066. Did that Bill come into the House?—No, it was never introduced. I forget exactly the circumstances, but I do not think that it was ever introduced. In fact, I am almost sure it was not. I have a copy of the Bill.

10067. Can you let us have that copy?—Yes, I will do so.

10068. Was it contemplated to create a Board?—Yes, a Board of eleven members, I think, speaking from memory. Of these eleven, four were to be representatives of the four Municipal Councils affected, and four were to be elected by the Municipalities.

10069. Do you mean by the ratepayers direct?—Yes. In addition to those eight, three members were to be Government nominees.

10070. Can you remember the reason why the Bill was not introduced?—I cannot remember at this moment. I do not think it was entirely upon the merits of the question. It was, I rather fancy, owing to the political exigencies of the Session.

10071. The four Municipalities were agreed as to the desirability of having a Board for such purposes?—I think they were. The Claremont Council, to which I belonged, was strongly in favour of the proposal. I remember that we spent a good deal of time and trouble over it, and I understood that all the other Councils were equally in favour of it.

10072. Eventually you got a Water Board for the Municipalities later on?—Yes; very recently, but that seems to be decidedly a poor substitute for Sir James Rose Innes' proposed Bill; because in the first Bill which was proposed there were full rating powers given. It was independent of the Councils in its action. It seems to me that a most faulty principle has been adopted in the recent Water Bill, because you have the one body carrying on the work whilst other bodies have to levy the rates and supply the sinews of war. The body that knows of the necessity for the payments has not the power unless it is devolved upon it, which has not been done by the Councils. The Councils on the other hand have, as bodies, no sufficient knowledge of what is going on. It seems a most vicious principle to divorce responsibility from power in that way. I, for one, as a member of the Claremont Council, have not sat on that Water Board,

and have not much knowledge of it, because I was away at the time at which it was started, and I have only a short time returned, and I do not expect to continue in the Claremont Council, so that I have not taken a great deal of interest in the details, and cannot speak confidently upon them. Still for the last two years that I have been in the Claremont Council I have been convinced that nothing more unfortunate in the way of relations could very well have been planned. I do not say that the relations have been bad—although there has been some friction, naturally, in connection with the supplies of water which are distributed over the Municipal areas as the Board thinks fit—but the ratepayers have no voice in the affairs, and the Water Board has to go to the Councils to obtain guarantees for its loans and in other financial matters, in addition to authority for powers that it has not now got. When these things have come before the Claremont Council I have given a blind vote as I have said at the time.

10073. In your term as a Councillor has an appeal been made to the Council to sanction advances of money for the Water Board?—Sanction was asked for an overdraft at the Standard Bank, which was in existence when I entered office, and subsequently there has been some modification of it required. On that occasion I said that I could express no opinion as to the propriety of the thing, because I had no sufficient information. All I could do was to endorse what our representatives had done.

10074. You take it that your Council is directly liable to the Standard Bank for the sum of money spent in respect of the work done by the Water Board?—For its share only.

10075. Not jointly and severally liable for the whole of the loan?—I do not think severally liable for the whole loan because, under the Act of Parliament, which the Standard Bank or any borrower may see, it is distinctly stated that the liability should be distributed, and it would therefore be for our proportion that we would be liable.

10076. The money is raised and spent without the individual Councils being consulted. Is that one of the grounds upon which you complain about the relationships between the bodies?—The Water Works Board, under its constitution, is quite within its rights in proceeding in its duties to carry out works and incur liabilities. There are two representatives from each Council on the Board, and therefore the Councils are committed to what is done. I am not speaking of the working having been less satisfactory than might have been expected from the Legislation, but the Bill itself seems to be most faulty in that principle.

10077. The Water Board is building a reservoir in the Newlands portion of the Claremont Municipality at the present time, is it not?—Yes.

10078. Was the sanction of the Town Council of Claremont given to that work?—Through its representatives, otherwise I do not think that the matter was ever submitted to the Town Council. I speak on these points with a little diffidence, because we had a very good representative, who had been associated with the undertaking since it has been taken over, and the details were many, and I never fully acquainted myself with them, partly because I felt convinced that we were worthily represented.

10079. The reservoir has been started within the last couple of years, has it not?—Yes; I do not know what may have been the plan before that, but I do not think that the matter has come before me on the Town Council, and I attend pretty regularly.

10080. It seems an anomalous state of affairs that the Board should go in for a large work of that kind, and one which may be attended with some risk and possibility of inconvenience to the residents, without consulting the Municipality in whose area it is placed?—That is the fault that I find with the Bill.

10081. *Dr. Gregory.*] But is it not contrary to the Act if they have done so?—No; I speak subject to correction, but it says that information shall be laid before the various Councils, and this information is laid before the Councils in the shape of minutes and accounts.

10082. But section 2 says:—"The said Councils shall, when it becomes necessary or expedient so to do, have full power and authority, acting jointly, from to time to take all necessary steps to augment the water supply of the districts."—They have referred to us in these matters. For instance, in the matter of the Steenbras or the Oliphant's Hoek schemes they have referred to us, giving us full information and stating that they were ready to take our opinion. We have been acting through our representatives, and therefore "acting jointly" might be considered to be covered by the acts of our representatives. I am making no charge against the Water Board that they have not acted according to the law. The whole gist of my objection is to the principles laid down in the Bill.

10083. *Chairman.*] After the Board was brought into existence they obtained consent to an advance of £300,000, of which £220,000 was used to pay out the old Water Company, and then, having obtained £75,000 credit they did not consider it

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necessary to appeal to the Councils again. Now you bring out a new point, that in addition to their not appealing to the various Councils for authority to spend the money they do not appear to have made any direct reference to the Town Council of Claremont for leave to put their new reservoir there?—I do not think so. Of course I should say that Mr. Bisset was chairman of the Board and also Mayor of Claremont, and he was fully acquainted with the facts, whilst I was not, although I had to do with the original contract, having introduced the money questions, as for instance the power of purchase. Yet the whole of this matter I have not dealt with, so that perhaps, on that point, my evidence will not be sufficiently reliable.

10084. In Claremont, have you much trouble with the Divisional Council in the matter of main and divisional roads?—There has always been friction. For instance, a thing occurred, when I was formerly in the chair, with reference to the width of the main road. The Divisional Council wanted to have only 30 feet of width to maintain as the main road between Cape Town and Simonstown. We urged that wherever it could be made wider it should be made wider. We brought the matter before the Government that they should have it made wider. Our proposal was at one time adopted, but the Government refused their consent. At last, however, they gave their consent to a 30 foot road. I need not point out to this Commission the inadequacy of such a width to that road. In some cases it would have been very expensive indeed to have made it wider, but we pressed upon them to make it wider where it was possible to do so, but they declined.

10085. Your Council would be in favour of taking over the maintenance of the main and divisional roads that pass through the Municipality?—Certainly. I noticed a remark made by one of the witnesses before this Commission —I believe by the Secretary of the Divisional Council—to the effect that Claremont had been offered the right to maintain its own roads but had declined. I never heard of such an offer. Of course, I have been out of office at different times, but I asked one or two of our Councillors and no one ever remembered such an offer having been made. We have always been in favour of doing it.

10086. In addition to that you would be in favour of giving a contribution towards the up-keep of the roads outside the Municipality?—I think it is only reasonable if the rates are removed, that we should assist in maintaining the outside roads. We are served by those roads and our trade is advantaged by them.

10087. Do you see any disability under which the small suburban Municipalities labour as far as meeting the requirements of Municipalities in accordance with modern views are concerned?—Yes, I think it is generally felt that small bodies like those existing cannot have officers of the same standing, as a rule, that large Municipalities have. They would not be justified in the expense of keeping, for instance, an engineer of the standing that a large Municipality would be justified in having. In consequence of that many works are carried out with insufficient information or are postponed in consequence. Cautious Councillors, like myself, do not like to go into works of any magnitude without full knowledge of what is required, and without knowing that there is sufficient skill to complete them properly.

10088. As a corollary from that, does it not follow that Municipal Councillors often engage themselves in work which is outside the usual range of a Councillor's duty?—That is not uncommon. We are rather inclined in the Colony to imagine ourselves qualified for everything, and this rather fosters the spirit.

10089. And that tends to bring the ordinary Councillor into some sort of disrepute with the ratepayer?—Yes, occasionally, and, more often it leads to unsatisfactory work. In our Council at present we have some very efficient officers, and they are doing their work very well, but in the past it has been to me a very serious question when, for instance, we have had the subject of making a good-sized bridge before us, whether we ought not to get in some good consulting engineer. I must say that we have generally been fortunate in having an engineer as a member of the Council.

10090. Is there a tendency for one particular class of professional or business men to get into the Council?—No; I do not think that there is, but there has been the greatest difficulty in inducing men of large business experience who might have leisure, or men most qualified to fill the position of Councillor, to take office. I know that in Claremont I have again and again urged such men to take office until one has almost become hopeless of inducing the right man to come forward. I do not forget that there should be representatives of all classes upon the Council, but, as things are, the Council tends to be formed of those with very limited experience in the management of large undertakings.

10091. Is there no particular reason for that?—To many men living in the villages who have much to do with the affairs of the Municipality, there is a certain interest, and a little personal vanity, that there is not amongst men of larger interests,

and having more work of their own to do. Perhaps also it comes home to some a little more to have their little affairs looked after in the way that they wish.

10092. It has been hinted in some quarters that there is a strong tendency for the local builders to get on the suburban Councils?—I have known some certainly, both in Cape Town and the suburban Municipalities, but I would rather put it down as the reason that it is the matter of their being continually brought into contact with the Municipalities in their work in a way which perhaps most others are not. They are, too, of a class more likely if a man is intelligent and gets on in his trade to wish to take an interest in such things. He finds that rules for building and all that concerns sanitary arrangements, and various other parts of the Municipal work, touch him and his trade, and he is therefore led to see more of the work, and to become somewhat anxious to influence it. I would rather put it to that than to any unworthy motive that he becomes a member of the Council.

10093. So that the critics of that kind of man may overlook their value as Municipal Councillors, and look on the point of view that their personal interests may be the cause of taking office rather than public spirit?—It is usual to look at such things from the sordid point of view, and it is rather a short-sighted view. It is wrong to say that everyone is actuated by what touches his own pocket. I have known a good many of this class of men, necessarily from the business I carry on, and I will say that there have been some very good men on the Cape Town Municipality who were builders. But they, like others, should be representative of certain interests in the town. A good builder or two are most valuable members of a Municipal Council. It may be that there are matters of rules and regulations which they smart under and think very unreasonable, and which very often are unreasonable, but it is also very well to have, on the other side, some sanitary authority who strives to carry rigid rules, and then, between the two, you may knock out some very reasonable rules.

10094. Generally speaking, does not the Municipal staff—the working officers—suffer from the smallness of the Municipality?—Taking them generally, at present, you get a decidedly inferior class of man, but sometimes you get very good men, and I speak with some little experience.

10095. And does not this inferiority in the staff often lead to the Councillors themselves having to do, or voluntarily offering to do, work which should be really done by the Municipal officers?—Yes, that has been much the case in the past. I myself have occupied the chair twice on different occasions in the Claremont Municipality, and then really it seemed that one had to give a large portion of one's time in doing what was the work of the executive officers. Then there is another illustration in our late Mayor, Mr. Bissett, who, being an engineer and a man of leisure, practically was the chief executive officer of the Council.

10096. With reference to the valuations as carried out by the Municipalities; have you any remarks to offer as to the method of valuing, and as to the principle of having a Court to hear objections?—There have been some very recent illustrations bearing upon that subject, which have perhaps brought it home to me somewhat forcibly. I found myself, the other day, served with a notice of valuation for a very large amount, something like six times that which had been the valuation before. I at once guessed that this was based upon a misunderstanding. A portion of my property being in Wynberg and a larger portion in Claremont, they have valued the whole for Wynberg. I mention this as shewing the manner of valuing properties without any questions being asked or sufficient information being obtained. On the other hand I received a notice the other day from the Muizenberg Municipality which seemed to be in a more sensible direction. They wrote asking several particulars in reference to my property. I think they asked me what I considered the value of the property, and I consider that such a course is far better than that the valuation should be made, as it often is, by a successful tenderer, in which the Municipality have been guided to their choice of the man more by the fact of his being the lowest tenderer than by knowledge of his capabilities. That man must go around and, in spite of dogs and other objections, get what information he can, and then having settled in his own mind, more or less I think by rule of thumb, the value, he affixes it for the time, and the only mode of alteration is to appeal to the Councillors sitting as a Valuation Court. I have been a member of our Valuation Court, although I objected to sit and vote upon the values which were put before me, because I did not consider myself competent to give an opinion. It seems to me a matter that ought to be treated with something of judicial procedure. It is impossible for a non-expert in the matter to know the values, in the first place, of property generally, and in the next place of any particular property. Very little evidence is taken, and he has practically nothing to guide him.

10097. Have you any suggestions for improvements which might be made in the mode of valuing properties or with reference to the Court of Objections?—There

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should be valuators appointed more permanently, say three in number, and some Board should be constituted of men with sufficient expert judgment, and opportunity of bringing evidence should be afforded.

10098. Do you think it would be advisable to have what we may call general valuators for all purposes, to consist of some responsible officers, and their valuations to hold good both for Municipal, Divisional and other purposes?—That would be far better. It does not matter so much to the individual generally, if the valuation is only uniform, what the actual figure is, though of course it tends to lead Municipalities to spend more money if they have larger sums to deal with.

10099. *Mr. Gurney.*] That would not apply to the matter of succession duty?—No, I was speaking more particularly with reference to rates.

10100. *Chairman.*] The plan that exists in some Colonies of having a Valuer-General who keeps general record of these things, might be carried out with success here, do you not think?—Yes, and I would suggest that it is a very unreasonable system to value properties simply according to their then market value, although I do not contend that that is not in accordance with the Act. But what I mean is, that a valuation is taken once every three years, and remains fixed for three years. It must bear hardly upon some members of the community who are dependent upon the income of lands and houses at times. For instance, at present there is a boom and the valuation is taken, but it may be that within six months the values of property will have fallen considerably and yet no alteration of valuation can be made for three years. Of course, the values might rise, but in neither case is the system an equitable one. There should be an average taken, as is done for the Income Tax, an average over a period of three years. Again, the principle that is pursued now is one that cannot be considered a just one, and I am of opinion it might be resisted in a clear case in a Court of Law. The valuers take for valuation whatever amount a property would fetch if it was cut up and sold at auction. It is well known that many properties, if cut up into little lots of 50 feet by 100 feet, might fetch some hundreds of pounds per acre more than would be the value of the whole estate valued as a whole. But it is not being put into the market at the time and the rating is for you upon that one property, you residing in it. You, however, have to pay on that property as if it was cut up into lots. That is the source of a good deal of the irritation that exists.

10101. Is there anything you can say to the Commission with reference to the borrowing powers of the Municipalities?—I can only say that that, as well as the rate of taxation, seems to be practically unlimited. It is a curious fact that a great many of us had misread a certain section of the Act for years. We never noticed the true state of the case, and we were under the idea that there was a limitation to 2d. in the £ in the matter of rating.

10102. Do you mean under the Municipal Act?—Yes. But on carefully re-reading it, only lately, I saw that it was not. A Council has only to state that it is going to levy any amount of rate, and no objection can be sustained against it except by a majority of all the voters on the roll voting against it. As a matter of practice it is well known that it is hopeless endeavouring to secure a majority of all the voters on the roll. This is plainly laid down with regard to loans and it also applies to any excess over 2d. in the £ on the Owners' rate and 8d. in the £ on the Tenants' rate. Practically, therefore, a Municipality has power to keep on levying any amount of rates, because it is not only the amount of the rate, but the Act also says that the rating is not to be less than once a year, so that I suppose it may be monthly or weekly. Whether it is a misprint or not I cannot undertake to say, but it seems to me that the words "more than" instead of "less than" should have been used. There are minor details with regard to provisions for loans which cannot be accurately carried out in practice as regards the mode under which you must raise money. I merely mention that as suggesting that although it was a very admirable Act at the time at which it was drawn, the Municipal Act should be now altered in the light of further experience.

10103. Have you thought at all upon the point of what would be well to do in connection with suburban Municipalities, in the matter of amalgamation, and of their relations to Cape Town?—Yes, I have given some thought to it. I do not know whether the Commission would care to see a speech which I made on winding up a year of office at Claremont. I have a copy of it. It expresses rather my idea in the light of some experience which I had had at that time—now nine years ago.

10104. Does it deal with amalgamation?—It did, but I should like to modify my views somewhat. I pointed out the difficulties that had arisen and the necessity of retaining the idea of the Liesbeek Municipality. While I thought it was a great pity that the Liesbeek Municipality should be broken up, and I believe it

would have been working now far more satisfactorily than the present system, still, circumstances have altered considerably. A certain local interest has sprung up and great extension has taken place, so that I think it would be a mistake too quickly to endeavour to bring the whole into one. I take it that with Municipal working it is important that the area should be sufficiently limited for all the members of the Council to be more or less acquainted with it all. There has been great extension, you know, on the Flats and in various other directions, and it promises to extend still more. Large properties upon the Mountain side are being cut up, so that while it seems desirable to draw together some of the Municipalities, it might be wise to do it gradually.

10105. What would you propose in the matter of an amalgamation?—As far as I can judge, there is considerable willingness to combine Claremont, Rondebosch and Mowbray. That gives such an area as, I think, would be a reasonable one for a Municipality, extending as it does some three or four miles along the main road. I think that they might be combined in one Municipality. Wynberg, again, has always adopted the policy of being independent. It has been independent in its water system, in its drainage system and in other ways, and it has always carried out its works in a fairly satisfactory manner. I believe that there would be a strong objection, not only amongst the Municipal Councillors but amongst the ratepayers generally within the Municipality, to combining with any other authority, although at the same time I think that a large number of the people would not have any active feeling against anything of that sort.

10106. You mean that they would not strenuously oppose it?—No, they would not.

10107. And then coming in the direction of Cape Town?—It seems to me that the natural features rather lend themselves to that division of which I have spoken, and then to Woodstock falling in with Cape Town in some way. After all, Woodstock added to Cape Town does not make such a large Municipality as towns go in other parts of the world, and while there has sprung up a strong local interest at Woodstock, which one would be sorry to discourage, I think it would be wiser, as circumstances now are, for Woodstock to be joined to Cape Town. It is more intimately connected with Cape Town, and, as a town, is more of a similar character to it than some of the others.

10108. And with regard to Sea Point?—Sea Point is already partially connected with Cape Town in the matter of water and other arrangements, and I think that it also might be joined to the Cape Town Municipality.

10109. There seems to be a more decided objection on the part of the people of Woodstock to amalgamate with Cape Town than there is on the part of Wynberg to amalgamate with Claremont?—Yes; and the same applies to Sea Point. Both Sea Point and Woodstock are managed very well, and it might be unwise to press amalgamation against a very strong and general feeling. I feel that, in all these matters, when you have made mistakes you cannot go back and settle them by authority. You must bow to a certain expression of opinion, because the great thing to cherish is a sufficient interest in Municipal administration which is, as a continuous force, so sadly lacking amongst us.

10110. You are not disposed to agree with the argument that the longer you put off union the more difficult it will be to bring it about?—I think that if you began with some such union as I propose, it might, possibly, spread. When I first entered the Council of Claremont there was a continual feeling of alienation from Rondebosch. It might have been as though we were two small Greek cities. As soon as one proposed a thing the other was in arms against it. Then the object which I set before myself, when occupying the chair, was to endeavour to draw much closer. We soon began to co-operate a good deal more—with Rondebosch especially—and when I left the Municipal Council I was really very hopeful of a voluntary union, with the prospect of gradually taking in Mowbray. Our Council at that time and the Mayor and Council of Rondebosch were very much disposed towards voluntary union. There is no great distinction between the three Municipalities of Claremont, Rondebosch and Mowbray. They are on a long line of road that has been cut up and has a certain nomenclature but with no real barriers between the Municipalities. I would like to see with reference to this, if you cannot have this combination into one large Council, a Board for Water and Drainage and Main Roads. Those three things being so related, all works affecting them are so interconnected that you must have them in one hand.

10111. How would this Board be constituted?—I should think some such constitution as that provided in the Bill of Mr. Innes would be a reasonable one, although I would be rather jealous of such a number of Government nominee members. It is very well to have some superintendence by Government—the superintendence of such a

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body as the Local Government Board, for instance. That is the check on authorities which is a very desirable one, acting as it does as a Court of Appeal, in addition to a check on expenditure. But I should be very jealous of continual interference, such as would be brought about if there were three Government nominees on a Board of eleven members.

10112. Would the Board you suggest have representatives from Cape Town?—No, Cape Town has committed itself to such large undertakings, has gone in so largely for water supply and for a drainage system, that you must be content to allow two bodies in the Peninsula, and two such large bodies would have a very good chance of working well together.

10113. What do you mean by that?—You would have one large Board representing the suburbs, and you would have the Cape Town Municipality as the other. Then in any question of drainage or water there might be a mutual arrangement.

10114. How would Woodstock come in?—I am supposing that Woodstock would be united with Cape Town.

10115. But it has no large works?—No; but Cape Town would have to provide for that or arrangements would have to be come to with the other Board.

10116. Does not that upset the idea of getting the greatest possible benefit from this Board? Does it not point rather in favour of an amalgamation of all the Municipalities?—I am afraid that if you had a union of all the Municipalities at present it would not work, although it might be a desirable thing from many points of view. I am afraid that, taking things as they are at present, it would not work smoothly for a time.

10117. Perhaps not for a time, but, as you yourself found with reference to Claremont and Rondebosch, might there not be a gradual feeling in favour of unity cropping up? By the necessity of co-operation, might you not have the same kindly feeling developed in the larger Municipality?—It was just on account of that that I suggested the creation of two bodies with the view of getting them voluntarily united later. If you had simply to tie them into a leash perhaps you would not generate that feeling, but only perpetuate their differences.

10118. In the relationships upon a Board like that you suggest, how would you work in connection with the loans which it would be necessary to raise?—Do you mean with reference to the loans which may have existed for water.

10119. Yes.—I think that the Board must assume the liability, and it must be distributed over the whole of the constituency. But it seems to me that the matter might be fairly equalised by arbitration between the different localities, or if it was found that a certain loan had been spent largely for the benefit of a particular neighbourhood, and not very generally you might devote some new loan or expenditure to the other neighbourhoods in order to equalise matters.

10120. Or levy a special assessment on that neighbourhood?—You might do that. But in any large area you have to take a more or less broad view of the thing. In any large Municipality you find that a great proportion of the expenditure has been in one neighbourhood, although really it may also have been, more or less, for the benefit of the others.

10121. Reverting back to the question of accounts, are you satisfied with the methods of Municipal book-keeping or do you think that any further audit is required than that now done by the Municipalities themselves, or would you be in favour of a Government audit of all Municipal accounts?—I could not answer generally for the others, but for the Municipality with which I have been connected, I should be quite satisfied with what now exists. Still, if a Local Government Board existed or there were some special branch of our Government that had to deal with Municipal accounts, it should have some control of the auditing. A well managed Municipality, however, ought to see that there is some real audit of its accounts, and I think that Claremont is doing that.

10122. The necessity of a Government supervision over the accounts, or a Government audit becomes more desirable now that all the Municipalities are having the Government more than ever as a creditor?—Yes, certainly. The Claremont Municipality has of late taken a loan from the Government.

10123. Outside of the Municipalities you are of opinion that we must have some local authority like the Divisional Council?—Yes, I suppose it is best to go on existing lines.

10124. The general principle you would adopt would be to preserve and improve?—Yes; there is a tendency in new countries like ours, which becomes more and more strong, to go in for brand new constitutions. It is not altogether a desirable tendency.

10125. You would, I presume, be in favour of giving the Divisional Council increased powers especially with regard to sanitation wherever necessary?—Yes, such

powers are very much wanted. We had a recent instance of that in the way the people went just outside the borders of Municipalities to escape the sanitary supervision which they had been under in the Municipalities.

10126. The Divisional Council have not got the power at the present time to deal with such matters?—I do not believe that they have.

10127. And they should be given somewhat similar power to that possessed by Municipalities?—Yes; it has always been a favourite idea of mine to encourage local government as much as possible, and instead of doing away with a Board which perhaps has not worked satisfactorily because of inadequate powers, I would throw more responsibility upon it, and, with sufficient checks, you would probably make it a better body. People only get fit for responsibility and increased work through their having that work given them to do.

10128. *Dr. Gregory.*] I have a question to put with regard to your experience on the Liesbeek Municipality?—I was never on the Council.

10129. But you had experience of its work; you were on the Commission and you also watched its work?—Yes.

10130. From your experience was it a failure more owing to the local jealousies rather than to intrinsic defects in its working?—It was a predetermined plan that it should fail. A party arose that opposed such men as myself, who had been in favour of one combined Municipality, and as soon as the Municipality was established this party endeavoured, at once, to put their own representatives on to the Council. Certain of my own near relations were on the other side opposed to me, and were elected as against myself, I believe, and others, who represented the principle of a combined Municipality. I know that it was the intention not to work it as a combined whole, but rather to assimilate it to the conditions which had previously existed. They got on to the Council, and as soon as they met they divided themselves into little committees for their respective areas, and then, after doing all the business in that way, they met in Council and registered what had been done.

10131. The failure of that scheme should not then be taken as a criterion of what would happen in the future from any scheme of amalgamation?—It should not be quoted as experience, because there has been no experience whatever of the working of a combined Municipality.

10132. Do you consider that the interests of the inhabitants of Claremont have been neglected in not compelling the Tramway Company to widen the roads before laying down their lines? Do you not think that if there had been some general Board to look after these tramway matters, that the rights of the inhabitants would have been better protected?—I cannot say. Unfortunately, in that matter of the Tramway concession the inhabitants did not protect themselves. I was in Parliament at the time, and I was one of a very small minority that made a great fight against the Tramway concession as it was proposed. The Cape Town Council, hastily, as I think, accepted the terms of the Tramway Company, or a great many of them, and when it came into Parliament I know that the Council was thankful to some of us who insisted upon better conditions being given, and who secured some of them. Under those circumstances I am afraid that it would have been the same with this proposed Board under similar conditions. So with regard to the establishment of the Water Company. I was then a member of the Council, and we sat night after night to fight that question, and we secured what we wanted, more or less. But as it was first brought in, it would have really been giving everything away. For instance, I got those conditions of purchase put in.

THURSDAY, 29TH MAY, 1902.

Present :

Hon. Sir BISSET BERRY (*Chairman*).

DR. A. J. GREGORY.	MR. W. E. GURNEY.
DR. A. J. ANDERSON.	MR. T. STEWART.

Mr. Lachlan MacLean examined.

Mr. *L. MacLean.*

29th May, 1902.

10133. *Chairman.*] Your full name, please, Mr. MacLean ?—Lachlan MacLean.

10134. You reside in Rondebosch ?—No, in Kenilworth.

10135. That is in the Municipality of Wynberg ?—No ; in the Municipality of Claremont.

10136. You were at one time a Councillor of the Municipality of Claremont, were you not ?—Yes, for about five years.

10137. When did you cease to be a Councillor ?—About two years ago. I was also Mayor of Claremont for one year, that was during 1897–98.

10138. You carry on business in Cape Town ?—I represent the Union Castle Steamship Company in Cape Town.

10139. Have you resided in any other parts of the suburbs except Claremont ?—Yes, I did reside at Sea Point at one time, but that was about fifteen years ago.

10140. Have you anything to say as to the supply of water in Claremont—have you always had enough for your requirements ?—The question of the water supply for the district of Claremont, as well as for the whole of the Peninsula Municipalities, has been before the different Municipal Councils, as you are aware, for some time. We have barely enough water for our requirements at the present time ; and some of the Municipalities, especially Woodstock, as you know, are short of their requirements. It is one of the questions that I had in hand, and personally took a great interest in, during my term of office as a Councillor of the Claremont Municipality. I was Mayor at the time when the negotiations were commenced with reference to the taking over of the Water Company. And the necessity of dealing with the water supply was borne in upon us because we could not get any further with our drainage scheme, until we were assured of a plentiful water supply.

10141. The two must go together ?—Yes, naturally ; the drainage scheme requires at least 30 gallons of water per head per day before it could be undertaken. The first thing we did was to acquire the local supply ; the next idea was to augment that supply. And my idea always was that it would be far better if all the Municipalities in the Peninsula, including Cape Town, were to join together and get one big scheme which would serve the requirements of the whole Peninsula for at lest the next 50 years. My idea was to look ahead sufficiently, and such a course as I have indicated would be better than for each Municipality, or even for a group or groups of them, to have their own little schemes. A big united scheme would be far better, cheaper and more satisfactory for the general interests of the inhabitants of the Peninsula. Besides, the water supply on Table Mountain is not nearly sufficient for Cape Town—at least, it won't be within a few years—and therefore Cape Town itself will have to go outside the local area for a further supply. In my opinion, it will be far better for all to join in one big scheme.

10142. And that is an opinion that you have held for some years ?—Yes ; while I was a Municipal Councillor I always worked towards that object, and I am glad to say that I have had some influence in bringing round to my views some who were rather inclined to take a very parochial view of the matter. And not only do I advocate the scheme for water but for drainage also.

10143. Then it would be your view that the present segregation of the Municipalities delays and hinders movement for betterment ?—Certainly. My idea is that we should do away altogether with the Divisional Council within the Peninsula area and substitute a Board of Works, or some such body as the County Council at Home, and to have that body—such as I have indicated—to deal with the larger questions affecting the whole of the Peninsula and let the existing Municipalities deal with the smaller matters, such as street cleaning and looking after the passing of plans of architects ; also looking after wash-houses, as well as the collection of dog tax and cab licences and purely local matters of that kind ; and all the larger matters, such as water supply, drainage, construction and maintenance of roads, fire brigades, and valuations of property should be controlled by the larger Board.

10144. Do you think that would be a better plan than amalgamating the Municipalities and giving the greater Council the necessary powers to deal with these matters?—Yes; I am afraid the same difficulty which arose in the case of the Liesbeek Municipality would arise again if the local bodies had no outlet for their energies in the shape of small Town Councils with power to spend a little money and whose duty it would be to look after the local affairs. There was a good deal of local jealousy.

10145. You would continue the Municipalities as a sort of indulgence?—Some of them might wish to go together. I think Mowbray, Rondebosch, and Claremont would readily come together, but I find that there is an objection on the part of the other Municipalities to join.

10146. Do you not anticipate that in this larger Council we should see the same results as regards the jealousies of the people that you have referred to?—No, I don't anticipate that. Each Municipality would be represented on the larger Board and their aspirations would be dealt with in that way.

10147. We have evidence from some witnesses to the effect that it was just owing to the very fact that the representatives of the various areas met together in one Council that the break-up of the Liesbeek Council took place. Directly anything was proposed by the representatives from one area it was opposed, as a matter of course, by the representatives of all the other areas?—I am not altogether cognisant of what took place during the time that the Liesbeek Act was in operation, but, if the system of getting estimates from the local bodies were carried out, and the larger body were to provide them with funds to expend for legitimate purposes, I don't think there would be any difficulty at all. I am strongly of opinion that they would be quite satisfied. There should only be one body having rating powers.

10148. Would you give that body the power to rate throughout the whole of the Cape Division?—Throughout the Cape Peninsula.

10149. What body would undertake the management of the roads outside the Cape Peninsula?—Well, with regard to that, I am strongly of opinion that the main roads throughout the whole Colony should be constructed and maintained by the Government. Road-making is a branch of civil engineering, and it requires to be thoroughly well done. It is false economy, I think, to have it carried on as it is mostly carried on now, because the labour is practically the same, while the necessary knowledge is wanting. You find that the roads in most instances are virtually flat, instead of being raised and constructed in such a way that the water could run off, and the consequence is that in the winter time the water is continually on the roads, and with the traffic going over them, they very soon fall into disrepair. I am sure that it would be far better to have them properly constructed in the first instance; it would of course in the beginning cost more, but in the end it would be cheaper for the community to have the roads undertaken by the Public Works Department or some other Government body, because then they would be properly done. At any rate, the cost should come out of the general revenue.

10150. You are aware that that was the case at one time?—Yes, but I don't thing it was the fault of the system that at that time it was not a success; rather I think because it was not carried out satisfactorily.

10151. With reference to this Council which you would like to see established, is it your idea that even the city of Cape Town should be put under it as well?—Certainly.

10152. In respect of their drainage, water supply, light, and the main roads as far as they pass through the Cape Town area?—Yes.

10153. Do you not anticipate that we should have some difficulty in persuading the Mayor and the Corporation of Cape Town to give effect to an arrangement of that kind?—I don't think so. I think those members of the Corporation who would be the representatives of the new Council would be rather glad of such a position.

10154. And would the Chairman of that new Council be the Mayor of the city, or would there be a Mayor of Cape Town independently of the new Council?—The Mayor would be the Mayor of Cape Town only; the new Council should be a separate body altogether. And I think the Chairman of the Council should be a paid Chairman; he should be a man of high attainments, and a man who thoroughly understands the management of Municipalities.

10155. This is a very conservative country. Our Divisional Councils have been in existence for many more years than the County Councils; do you think it would be really an advantage to abolish the Divisional Council, simply to bring it back under another name for a new Board? How would you like the idea of having two Divisional Councils, one for the Peninsula area and one for the remainder of the Cape Division? The people are much accustomed to Divisional Councils, and perhaps you don't look at the question as it strikes the people?—I think the Cape Peninsula should be treated

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separately from the rest of the Cape Division, because it occupies such a peculiar position as compared with the rest of the Cape Division. I would not abolish the Divisional Council throughout the rest of the Division. I would give them the up-keep and the mananagement of the divisional roads; but at present the powers of the Divisional Council, even if they were able and willing to carry them out, are very restricted. These powers are not sufficient to deal with the condition of things which arises from time to time. For instance, when I was a member of the Claremont Municipality, I was anxious that we should incorporate an area of ground, adjoining the existing Municipal area, on the Flats, in order to control a number of houses which were being put up there without any regard whatever to sanitary requirements. We applied accordingly to the Government to have this area included in our Municipality, but the Municipality of Rondebosch objected. Local jealousy came in there. They wanted the area themselves and consequently would not allow the Claremont Municipality to take it in, and the consequence was that there was no body which had control over these areas outside. We appealed to the Divisional Council urging them to see to the sanitary requirements and the water supply in that outside district, but they said they had no control and no power to do so. Slaughter houses were erected there without any sanitation at all; and the Municipality had no power, and the Divisional Council apparently had no power.

10156. That appears to be admitted, but when we could get over that part of the difficulty by recommending that the powers of the Divisional Council should be increased, could we not?—Yes, of course that could be done.

10157. And apart altogether from the limitations of our inquiry, that might be done throughout the whole Colony with advantage?—But, as a matter of fact that would come by natural evolution. We have already had to form a Water Board, and we would later on have to form a Drainage Board, irrespective of anything this Commission might do. In any case the question is whether we should not anticipate things and deal at once on a large scale by starting a large scheme and by putting all these large questions under the control of this new Board which is to be created, instead of under the Divisional Council, so far as the Cape Peninsula is concerned.

10158. You would merge the control of your present water supply with the powers of the larger Board?—Yes, certainly.

10159. Who would you propose should be the constituent authorities of that Board? Who would elect the members?—Well, I think they should be elected from the different Municipalities.

10160. From the existing Councils?—Yes.

10161. Not elected by the ratepayers direct?—I think not. I think if it were known thatthe members of the Councils were eligible and would be represented on the new Board, that good men would come forward to join the Municipalities, but I have not thought out the details of it as to how they should be elected, which is a matter for after consideration. But in any case I think Municipalities ought to be represented say by one member from each of the Councils.

10162. Has your experience of the present Joint Committee of Management of the Suburban Water Works been such as to lead you to believe that a Board constituted as you now suggest would meet the requirements of the case and would be a Board that would satisfy the feelings of the ratepayers in the area?—I have not been on that Board myself, but from what I have learnt about them I think they have managed the business connected with the water supply up to now very well. I think they have given confidence to the general body of ratepayers.

10163. Is there not a good deal of friction between the Municipalities and the Board?—Not that I am aware of, excepting in regard to Woodstock which wishes to have its own water supply.

10164. Have not Rondebosch and Mowbray been taking steps to have their own water supply?—No, I think not; I think they are willing to join with Claremont in any scheme that might be undertaken.

10165. Have Boards of that kind been a great success anywhere as far as you know; that is to say: Boards put over Municipalities and practically taking the work of the Municipal Councils out of their hands?—The County Council at Home is the one that we have had most experience of, and that has worked very well, so far as we know.

10166. Yes; but it has not taken Municipal work out of the hands of the Municipal Councils?—It has taken larger questions, and it is only the smaller matters which are dealt with by the Borough Councils. However, I am not very well versed in the details as regards that, and I think you could get better evidence on that point from others.

10167. How would the ratepayers in that particular locality bring the responsibility home to their Councillor in the event of an excessive rate being levied by this

Board?—Well, I suppose they would have public meetings, as they usually do in these matters, and give vent to their feelings in that way.

10168. The Joint Committee of Management of the Suburban Water Works, for instance, about a month ago published a considerable batch of regulations in the *Gazette* dealing with the distribution of water through the four Municipalities concerned, but the ratepayers in these Municipalities were never consulted about these regulations, and even the Councils of the Municipalities were not consulted, neither were the regulations submitted for the approval of the Government. The eight members of this Board evolved these regulations out of their inner consciousness. Now do you think that similar powers should be given to the Board which you now propose?—Well, subject to the approval of the Government, I think I would give them such powers. You cannot call a meeting of ratepayers for every little regulation that you may wish to pass in the interest of the community; but I am certainly of opinion that the approval of the Government ought to be had.

10169. Would this Board undertake the valuation of properties in the Municipalities?—Yes, but I would strongly urge that the valuators, whoever they may be, should be men who are thoroughly independent, and they should act upon certain defined principles and not in the haphazard way in which the valuation of property is carried out now. There are a great many anomalies at present which should not exist.

10170. And does the Valuation Court as at present constituted meet with your approval?—It is very unsatisfactory, I must say.

10171. What improvements would you suggest the new Board should set up in the formation of the Valuation Court?—Well; it is difficult to suggest any other method than the one that exists, but I think there would not be a great many objections to the valuations if the ratepayers were satisfied that all properties were dealt with similarly, that is to say, that there were not favouritisms as regards valuation.

10172. Would you be in favour of a recommendation by this Commission that no person should be appointed a valuator in a Municipality unless he is approved of by some Government official, such as the Auditor-General or the Under Colonial Secretary or the head of some Government Department?—Yes, I would certainly give the control to the Government in the case of valuations; I think that would be very desirable. In fact, if the valuator were a highly placed Government Official with the necessary knowledge, he would be much more acceptable, I think, than the ordinary commercial man.

10173. Of course we could not have a highly paid Government Official to value in every district or in every town, because it would be a tremendous cost; but there might be one officer—say in Cape Town—whose approval should be required in the case of the appointment of local valuators?—Yes, of course it would be too much for one man to value the whole of the property in the Peninsula, but I do not see why two men should not be able to do it if taken at different periods. And there would be the advantage that these men, by being constantly employed on this work, would become more expert in the matter of valuation; they would from their experience get through the work more quickly, and, besides, we would get a uniformity in the valuation.

10174. Your suggested Council or Board would be the only body to levy local rates in the Peninsula?—Yes.

10175. Would it be your idea that the local Municipalities should make an estimate of the money that they would require—say for a year's work—and request that amount from the Council?—Yes, that would be my idea. And I would give the Council the power to refuse or reduce any item of expenditure which they might think overstated, or unnecessary.

10176. You would say that they should have power to strike it out or lower it, or even raise it?—Yes.

10177. Do you think the method of auditing the Municipal accounts at present in vogue is a satisfactory one?—I would prefer a Government audit altogether, if it could be carried out, because, however good local auditors may be, you cannot always depend upon getting the best men. The work is put up for tender, as it were, and the lowest bidder practically gets it, and he may not be altogether the best man.

10178. Is there a tendency sometimes to charge the loan account with money which should really be defrayed out of ordinary revenue?—I am afraid there is a tendency in that direction, and that requires to be closely watched.

10179. In the matter of the existing debts of the Municipalities; if you were to bring into use such a Council as you suggest would you give that Council the management of this debt as one of their functions?—Do you mean the new Council or the existing Council?

10180. The new Council. Would you unify the debt?—Yes, I think it would be a great advantage to unify the debt and pay off all the old debts.

10181. *Mr. Gurney.*] Consolidate the whole debt?—Yes; and another advantage would be that they would be able to raise money at a much cheaper rate of interest, especially as they would have the security of the whole Peninsula at their back.

10182. *Chairman.*] And do you think there would be any difficulty in dealing with the subject of the debt from this point of view: the ratepayers in one portion may say, "We don't wish to be rated for the debt of any other portion in which people have been too extravagant, and why should we pay?"—I don't think there is any reason why the different districts should not be rated according to their requirements.

10183. By method of special assessment?—Yes.

10184. The several debts must be carefully examined, I suppose?—Yes.

10185. And the various assets valued and set off against debt?—Yes, and the various requirements of the different Municipalities should be ascertained.

10186. But for the contraction of any new debt there would be required the sanction of this Council?—Certainly.

10187. And the money would be raised on the security of the united authority?—Yes; it would be a very great advantage in raising loans at a lower rate of interest.

10188. Now, it would be your object to place main roads passing through these Municipalities under the control of that Council?—Well, I should prefer to place main roads under the control of the Government.

10189. But are you referring now to main roads within the present Municipal areas?—Yes, I say that the main roads within the Municipal areas as well as outside—in fact throughout the whole Colony—if the general principle were admitted, should be placed under the control of the Government. If that principle were not admitted, then I would place them under the control of the new Council.

10190. Then I understand you to say that this Council should have control over the roads in the area known as the Peninsula, and that outside of that you would have another Council at work to deal with such things as might be necessary?—I understand that this Commission is only dealing with the Peninsula?

10191. Yes, and with the Cape Division?—Yes.

10192. Now with reference to the questions arising out of this separated jurisdiction or control, would you make, what you may call, Municipal area proper in the Peninsula liable in any way for a contribution towards the upkeep and maintenance of roads outside that area?—It would be necessary to do so unless the Government took over the main roads. If the Government took over the main roads, then it would not be necessary for the Municipalities to contribute towards the Divisional roads, which then ought to be maintained from the rates levied from the Division itself.

10193. Well, putting aside the question of the Government taking over these roads,—that being a principle we could scarcely recommend, unless it affected the whole Colony,—and, limiting ourselves to what is to be done with the roads in the Cape Division; are we to say that the Municipal areas should be liable to contribute?—Well, I think the feeling of the ratepayers is that they should not be called upon to contribute anything towards the maintenance of any roads outside their areas, but at the same time, having regard to the fact that they are much more wealthy than the people from whom the Divisional Council obtains rates outside the Municipal areas, I should think that even although the people inside the Municipal areas don't make much use of the outside roads they should contribute something towards their upkeep.

10194. Are you aware at present of the amount which they do contribute?—I have not got the figures before me, but I remember that we discussed the question some time ago, and the Municipalities then thought that the amount was very much larger than they should be called upon to pay. The discussion arose in connection with the question as to whether the Divisional Council should be done away with or not.

10195. According to the figures sent to us by the Divisional Council, they put down the cost of maintaining the roads, main and divisional—exterior to the Municipalities—for the year 1901 at £13,000?—Yes.

10196. And of that amount about £3,000 only is raised on the property outside the Municipalities, and about £10,000 is raised on the property inside the Municipalities?—Yes.

10197. Do you think that a fair proportion or an excessive proportion on any one side?—It seems a very excessive proportion on the part of the Municipalities to contribute, I should say.

10198. What do you think would be a fair proportion, assuming for the sake of argument that the Divisional Council were to say that for the requirements of keeping up the roads in any one year £12,000 or £15,000 would be necessary, and at the same time assuming that the Municipalities should be responsible for maintaining the main roads within their own areas? What proportion, under those circumstances, would

you consider a fair one for the Municipalities to pay?—That point was under discussion, I remember, and it was thought it would be fair if the Municipalities contributed one-third; but I question myself whether that is a large enough amount to suggest. I think the Municipalities, including Cape Town, ought to contribute one half.

10199. Well, taking it at one half, and taking the last year's expenditure for these roads, which was £13,000; do you mean to say that the property outside the Municipalities would have to be assessed in the sum of about £6,500?—Apparently so.

10200. But for that particular year they were assessed for less than £3,000, so that to raise the amount of £6,500, according to your suggestion, the valuation would have to be about double, would it not?—Well; from all one hears the valuation on outside properties is less than half of what they might be or would be if they were as high, in proportion, as the valuations are in the Municipalities. So far as one ascertains from hearsay they ought to contribute probably double the amount that they do now, but I have no personal knowledge of the matter.

10201. Have you any knowledge of the figures of the gross valuation in the Division?—No.

10202. According to the return, the last valuation, which was made at the beginning of this year, is given at £16,764,000 for the Cape Division, and all the properties outside of the Municipalities are put down at £895,000?—Well, that is a very small valuation for the outside properties, I should say.

10203. And the result of that is that in respect of the Divisional Council revenue, which is estimated at £43,658, the Municipalities are responsible for £40,892, and the outside properties for £2,331?—Well, I think that the outside properties are let off very cheaply in comparison with the Municipal properties.

10204. Do you think as a resident here that the outside properties may be valued higher?—Yes.

10205. We have had witnesses to whom the same question was put, and they say, as representatives of the outside area, that it would be impossible to raise the valuation of that property any higher. They admit, however, that the contribution by the Municipalities is excessive, and they suggest, as the only way of equalising the matter, that the Government should be asked to give a contribution?—Well, my idea that the Government should take over the main roads would meet the case, I think, because that would relieve them very considerably.

10206. But you think on the general principle that the outside properties should bear a little increase in their valuation?—I don't know whether they could afford to do it or not, but they certainly should be valued higher than they are at present; that is a matter of common knowledge.

10207. May I ask you: was it at a Conference that it was suggested that the contributions from the Municipalities should be one third?—No; it was really an informal discussion.

10208. And your own idea is that it should be about one half?—Yes, I think that would be a fair contribution.

10209. Is that on the assumption that the Municipalities should bear the cost of the maintenance of the main roads inside their own boundaries?—Well, I have not gone into the question as to what it would cost the Municipalities to take over the main roads from the Divisional Council. If it is going to cost them more than it costs them at the present time in the contribution of rates, then the question might arise as to whether they should be let off or not or whether they themselves should receive a contribution.

10210. We have had witnesses before us who are in favour of the Municipalities taking over the maintenance of the main roads within their areas, provided they would be allowed to raise or increase their local rates to the extent of the rates which the Divisional Council raise within their areas?—Exactly.

10211. Yes, but at the same time they believe that they would be able to keep these main roads for less money than the amount for which they are at present taxed by the Divisional Council in respect of their maintenance, and they would be prepared to take over the liability on condition that they are allowed to rate to a sufficient amount to keep them in a fair condition?—I think the Municipalities would be prepared to take over the main roads assuming that the Government will not do so, provided that the cost of maintaining them together with the contribution which they were asked to make towards the support of the Divisional Council for roads outside the Municipal area does not amount to more than they are contributing now.

10212. Of course their contention is that they would do all this for less than they are charged at the present time by the Divisional Council?—Yes, probably they would,

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but at any rate it would be far more satisfactory to have one body controlling the roads within the Municipal areas.

10213. Now, reverting to drainage, the only suggestion or the only plan that appears to have been seriously discussed has been a plan for discharging the sewage of the suburbs into Table Bay, but there seem to be grave objections to that being done, at any rate as far as the discharge of crude sewage is concerned, and to meet that difficulty it has been suggested that some of the more modern methods of dealing with sewage should be instituted. Would you give your new Board or Council the power to deal entirely with the matter and to employ a suitable staff of experts for the purpose of arranging for the drainage of the whole of the suburbs on the most modern principles?—Certainly, that would be one of the main objects for creating such a body, I should say.

10214. And for that purpose it would possibly be necessary for men to be brought from other countries who are thoroughly acquainted with the more modern methods of dealing with sewage?—Yes, it might be necessary to do so, but we might have men in this country at the present time who are quite capable of dealing with the matter.

10215. The question of how far one system of drainage would be suitable for the whole of the suburbs would be a question which would be left to the experts?—Yes, we have had several experts dealing with the question already, as you know, and it is really very difficult to determine from the reports by those experts whether there would be any objection to crude sewage going into Table Bay beyond Paarden Island or not; so far as I can judge from the reports that we have had from time to time there might be occasions when a nuisance might ensue, but not very often. On the whole, I think that it would probably be found that the only solution of the question would be to discharge the sewage into Table Bay in its crude form because it would be rather expensive to deal with it otherwise,—that is according to the Scott-Moncrieff system,—but, of course, if it is found to be a nuisance then we could deal with it on the septic tank principle.

10216. Of course we could scarcely prove that it is going to be a nuisance until it is tried, and it would be rather a costly experiment, would it not?—Well, in any case, it would have to be discharged into Table Bay in some form or another.

10217. But there is a great difference between discharging purified effluent and discharging crude sewage?—I think the pipes would not be much larger in the one case than in the other, but I daresay the only difference would be in the pipes.

10218. You are aware that in other parts of the world the effluent from such treatment is considered so pure that it could be discharged into rivers?—Yes, I have seen it, and I have tasted the effluent myself, and I am told that the men in the works drink it.

10219. Have you actually seen this system at work?—Oh yes,

10220. Where?—At Wynberg, on the property of Mr. Charles Marais.

10221. Is that a domestic installation?—Yes; and besides I have read about the method elsewhere.

10222. You have not seen it work in a considerable town in the United Kingdom?—No; but I may say that Dr. Wright, of Wynberg, has seen it, and he could give you evidence on that point.

10223. *Dr. Gregory.*] You have had considerable experience of Local Municipal Government, have you not?—Yes; I was for five years a Municipal Councillor at Claremont.

10224. And you have come to the conclusion that some change is necessary in order to carry on Municipal Government to the best advantage?—Yes; I think it is very desirable that we should have a change such as I have already indicated.

10225. What particular circumstances have led you to come to that decision?—Well, the difficulty of dealing with the water supply excepting on a large scale, and the same with regard to the drainage question. Then there is the difficulty of raising money at a reasonable rate of interest in the money market, and the fact that you don't get the very best officials for the small bodies; you could afford to pay good men if you had only one large body to manage the whole of the Municipal areas.

10226. In addition to efficiency of management, would you include economy?—Oh yes, I hope it will lead to economy. In any case it ought to.

10227. By a combination it enables the combined bodies to undertake more effective and better systems than those which individual communities could attempt to carry out for themselves?—Certainly.

10228. I understand from your evidence that you favour the adoption of some large combined Local Authority for the management of the larger Municipal schemes and measures, and that you would leave in the hands of the local areas certain other Municipal work and measures?—Yes.

10229. Would you kindly inform the Commission what kind of affairs you would leave to the large combined authority, and what kind you would leave in the hands of the smaller body?—The larger body would certainly deal with large matters such as drainage, water supply and the maintenance and repairing of roads. At present, as you know, they practically only use the Claremont gravel even upon roads upon which there is very much traffic, for the simple reason that they have not got any arrangements for the supply of hard proper road material. They have no metal breakers and no organisation such as really would be necessary in order to maintain the roads in proper order. You cannot expect the small Municipalities to provide and equip themselves with the necessary appliances, but a large body could very easily do it, and I am quite sure that on that head alone there would be great economy, because the cost of the labour for putting bad material on the road is practically the same as for putting proper material on it. Even the Town Council of Cape Town have been obliged to admit—and they are the biggest Municipal body in the Peninsula—that they are not able to deal with the Dock Road as it should be dealt with; and the Harbour Board has recently made arrangements to take it over from them because the Harbour Board have a quarry in the Paarl district where they get very hard granite which alone apparently is suitable for a road like the Dock Road upon which there is such heavy traffic. I would also have the larger body dealing with the question of lighting in the whole of the Municipalities, and probably it would be advisable for them also to deal with the question of Fire Brigades, which should be taken out of the hands of the small bodies in order to have efficient Fire Brigades here and there.

10230. You mean, have different Fire Stations?—Yes; and then the question of valuation of property should certainly be under the control of this Board.

10231. Now you have mentioned Roads; would you also add Tramways when they fall in?—Yes, certainly.

10232. And would you also add Licensing of Vehicles, because a good deal of inconvenience at present arises through vehicles being licensed in one district and plying in another district without any special regulations on the subject?—Yes, that would certainly be a very good thing to include.

10233. And you would also add, would you not, the framing of general Municipal regulations to apply to all the areas so that one system of local law would apply throughout the whole area?—Yes, that would be very desirable, too.

10234. And would you not add public health generally, especially in regard to dealing with infectious diseases and providing means of isolation?—Yes, that would be very desirable, too.

10235. And as a matter of fact, dealing with health matters generally?—Yes, I would certainly include that in the functions of the Board.

10236. Now, what is there left for the smaller bodies?—Well, the principal thing that would be left would be the passing of architects' plans for building, because you could not expect builders to come to Cape Town or to the place wherever the new Council may be located, to have their plans passed from all parts of the Peninsula.

10237. But the passing of building plans really requires very considerable architectural knowledge, for them to be properly passed and for the interest of the public to be properly protected?—They would, but I think the new Council should have the power to lay down certain rules for the smaller bodies, which they should insist upon having carried out.

10238. But really the proper passing and examination of plans, say of some large building, entails architectural knowledge of a high order, does it not, such as calculating the different strengths of the materials and the stability of the proposed building, as well as seeing that the architectural scheme accords with the other architectural lines in the street?—For that very reason I remember the suggestion was made, when I was Mayor of Claremont, that Rondebosch, Wynberg, Mowbray and Claremont should combine and have one architect of high attainments for that whole area, so as to ensure that no building should be put up except it was in accordance with modern requirements in every way.

10239. Then you are really drifting in regard to plans into the main local authority?—I am afraid I am to a certain extent.

10240. Was not the reason why you advised something being left to the local bodies that you wished to do away with opposition and create a certain amount of local interest?—It is partly so, I must admit.

10241. Could not that be attained by the larger local authority having local committees or vestries for specially looking after the more immediate local things, of which I might instance scavenging, road cleaning, and that sort of thing?—Provided they were representatives of the local authority.

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10242. They would really be small committees or vestries delegated from the main authority?—Yes, but they should, if possible, be members who represent a particular district.

10243. Quite so?—Yes; so that they have local knowledge and see that the requirements of the locality are looked after. I think if that were done it would be far better than the existing Municipalities, that is to say, if that were the view of the Commission.

10244 And would you have the election of representatives to this body for well defined areas or wards?—Yes.

10245. For the carrying on of the work of this body, would you suggest that there should be a permanent paid chairman?—I think it would be desirable that a thoroughly competent chairman should be obtained, and it would be a good thing to have him as a paid officer.

10246. And perhaps also a vice-chairman?—Yes, that would perhaps be desirable in case of sickness or absence of a chairman. It would perhaps be as well to have a paid vice-chairman too.

10247. Such a scheme as that would really do away with the Corporation of Cape Town?—Yes.

10248. Now from your knowledge of affairs in the Peninsula, do you think that would be possible? That is to say, to wipe out the Cape Town Municipality and place in its stead one large reconstituted local authority?—It may be that the public mind is not prepared for such a drastic change at present, but I should be very glad to see it brought about. I think public opinion could be educated up to that idea, and I think it would be possible.

10249. You believe that public opinion would be in favour of that?—I think it would on the whole. Certainly the more intelligent portion of the community would be in favour of it.

10250. Do you think there would be any vested interest which would conflict with such a course?—I daresay the proprietors of houses in certain districts might object to having their valuations increased, but I cannot think of any other vested interest.

10251. Would there not be a serious objection on the part the present Municipal officers, the Mayor and Councillors, who would be deprived of their offices?—Some of them would object, I daresay.

10252. You mentioned just now the passing of building plans; is there not an additional reason why these should be passed by some large central authority in that it would do away with bringing pressure to bear on small local authorities in connection with such things as the passing of improper plans?—That is so from that point of view, and I think the objection to the new Council dealing with the passing of plans would disappear if arrangements were made by which these plans would be passed quickly. If that were not done then there would be some difficulty, because people seem to be afraid that they would have to wait a considerable time before they would be able to get these plans passed, and from that point of view it would be very inconvenient for them.

10253. Is not the passing of building plans in your experience one of the matters in regard to which there is more undue influence exercised on Councillors than probably any other matter that they deal with?—No; I cannot say that that is my experience. I don't know that any undue influence has been brought to bear upon Councillors in that respect, and I don't see that there is any way in which it could be done. The plans are sent in the ordinary way, and I don't see how it could occur unless it might happen that there are a majority of the members of the Council interested, either directly or indirectly, in having certain plans passed, but as far as I know that has not been the case.

10254. At the present moment, as things are, only one or two of the Councillors are really able to judge whether plans should be passed or not, and the remaining Councillors are usually led by them in the matter?—Yes. Of course the Council's architect is depended upon to give expert opinion in regard to plans, and it is only the general principles that the Councillors deal with.

10255. You mentioned, Mr. MacLean, that one of the disadvantages experienced at present was having two authorities dealing with the roads in these areas?—Yes.

10256. And you think that the main authority should look after these roads, but yet you suggest that the Government should take over the main roads?—Well, I had in view the whole of the Colony when I was talking about taking over these roads. I think it is a very desirable thing that these main roads should be properly maintained, and the only way in which that could be done, in my opinion, is by having it done by the Government.

10257. But so far as the Peninsula is concerned, or the urban portion at any rate, you might see a reason to modify your opinion in that respect and let the main local

authority dea with the roads as a whole?—Yes; but I should say that if the Government are going to undertake the maintenance and construction of all the main roads throughout the rest of the Colony at any future time, then the Municipalities of the Peninsula should be relieved of the expense in connection with these roads or get some contribution towards it. They should not be treated differently from the rest of the Colony.

10258. With regard to the consolidation of the loans, you don't think, do you, that the fact that some of these local authorities have loans which are only terminable at a specific period a long way ahead might cause any difficulty in consolidating?—I don't think so, because those are matters of detail which could easily be arranged.

10259. *Mr. Gurney.*] When you were a Councillor at Claremont, did you have many cases coming before you where public roads had been impinged upon by the owners of adjoining properties?—Yes; there have been many cases of impingement in times gone by.

10260. Was the Council alive to its duties in the matter?—I am afraid not always in the past, but I think they are now.

10261. In subdividing properties for sale, the plans have to be submitted to the Municipality? And is it not a fact that these plans are looked at as a rule and approved by the Councillors without the plans of the neighbouring estates being before the Council at the same time, so that the roads are allowed to come out on to a main road where there is no road opposite, but where the corresponding opposite road is lower down and so forth?—That may have been the case in some instances that I am not aware of, but it is not the case within my experience because we did all these things when plans came before us in order to guard the surrounding estates as well.

10262. Is not that again a matter for the central authority with some officer who is qualified to deal with plans—I mean some person having the qualifications of a surveyor in order to be able to criticise diagrams?—Certainly.

10263. And it could not be expected that a small local Municipality would have such a man available?—No; they could not afford to have such men.

10264. But a large body naturally would have such men?—Quite so.

10265. And in that respect the public would be better protected by a larger body?—Yes.

10266. Now has your experience led you to think that the establishment of these small bodies is calculated to lead to favouritism in the distribution of contracts or anything that could be described under the heading of "jobbery"?—Well, not within my experience. I think that every Councillor in the Claremont Municipality, during my term of office at any rate, was very jealous with regard to that point and they were all very careful not to do anything which might in any way be regarded as "jobbery."

10267. Would you consider it as a danger arising from having these small bodies, even though Claremont may have been perfectly free from anything of the sort?—It naturally follows that small bodies would be more liable to temptations of that kind than large bodies.

10268. *Dr. Anderson.*] Have you given up the idea of working the Cape Peninsula by having a Council formed of representatives elected by each of the existing Municipalities?—I don't think the question has been formally discussed.

10269. But I understood you to say in answer to the Chairman that you were in favour of forming a Council to deal with certain big matters in the Peninsula?—Yes.

10270. But then you have rather modified that view since, have you not?—Yes.

10271. Would you now be in favour of a Council elected from the Municipal Councils or a Council directly elected by the people from wards or districts?—I think a Council elected direct from the people is perhaps to be preferred, and then of course you do away altogether with the very small local bodies that exist now by having committees to deal with the local matters.

10272. Committees of the larger body?—Yes.

10273. Would you prefer that system of the two?—Yes, but the other idea was not present in my mind when I made my first statement.

10274. *Mr. Stewart.*] In the event of the Municipalities not falling in with our recommendations (if made in that direction) that they should combine, how would you propose such a combination should be set about?—In the event of their not falling in with the idea of the Commission?

10275. Yes.—I should say then Camps Bay, Sea Point, Cape Town and Woodstock should be formed into one Municipality; Mowbray, Rondebosch and Claremont should form another; Wynberg and Diep River should form another; Kalk Bay, St. James and Mulzenberg should form another as at present; and Simonstown should remain as it is.

10276. How would you suggest that it should be set about? You would not approve of any coercion being applied from an outside source, I take it?—Well, I am

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afraid that they will be a long time coming together unless coercion were employed, except of course in the case of Mowbray, Rondebosch and Claremont, who, I think, are quite ready to join now, but I am afraid Woodstock would not agree to join Cape Town.

10277. And you don't think that it is more likely to come about upon the mutual application of two or more of these bodies to Parliament than by a certain amount of pressure?—I think if there were a sort of permissive Bill by which they could come in if they were disposed to do so, it might meet the case, but I am afraid it is very difficult to coerce them, really.

10278. Do you think if a Bill was passed in Parliament laying down broad lines on which a combination might take place, that then they might consider whether they could fall in with it or not?—Yes, some will fall in perhaps with it at once, and others in course of time; that is to say in the course of gradual evolution.

10279. As far as you know, there is nothing to distinguish one suburban Municipality from another? The class of building being principally the same and the class of inhabitants also. As a matter of fact you don't know when you pass from one Municipality to another, is that not so?—Really there is no distinction.

10280. Taking all the Municipalities outside beyond Wooodstock, there is absolutely nothing to prevent them combining?—No; not that I know of.

10281. Do you think it is better, however, that some of them should remain apart in order that they might enjoy a continuance of the *esprit de corps* at present existing between them, and that the advantages of competition should continue?—No. I think it is preferable that they should join and form one body.

10282. And I understand from you that one of your reasons is that in raising money on large loans they would be able to do so on much better terms than a small, practically unknown Municipality?—Yes; we have had an instance of that recently in the case of the Water Board.

10283. Possibly in the case you mention, if that loan had been raised under the wings of the Corporation of Cape Town there might not have been so much difficulty?—There would have been no difficulty, and they would have got the money readily.

10284. While you were a Councillor of Claremont, did the question of more suitable material for roads and streets ever crop up?—Yes, frequently, and we tried to arrange with the Turf Club to get granite from a place at the bottom of the racecourse for the repair of the principal roads in the district. We did secure some at a spot outside the racecourse on the Flats, and we applied it to one or two of the roads on which the heaviest traffic in Claremont goes. It answered splendidly as compared with the Claremont gravel. There is no comparison between the ultimate cost of using the two, but unfortunately we have not got enough of that granite.

10285. But is it within your knowledge that there is an abundance of suitable granite on the Cape Flats?—Well, the only place that I know of is just outside the racecourse, where there is a good deal of granite.

10286. It is only a question of getting permission to take it?—Yes.

10287. Do I understand then from you that the road-covering now being used is very expensive?—It is expensive because it has to be renewed so frequently. It is an excellent material for roads on which only carriage traffic passes, but on roads over which heavy traffic passes it pulverises and forms into a dust in a very short time. For that kind of road it is really not suitable.

10288. It would be cheaper in the end to get the very best and more expensive material in the first instance, and in addition to the saving it would be a gain in regard to the facilities for traffic in the streets as you would not so often have parties working in the streets?—Yes.

10289. The gain is not merely confined to the matter of money?—No; the matter of convenience comes in too.

10290. Have you seen any of the bacteriological systems for the treatment of sewage in use in Great Britain?—I have not seen them in Great Britain but I have seen one in use on Mr. Charles Marais' place at Wynberg. That, I think, is the Scott-Moncrieff system and works very satisfactorily.

10291. But what you have seen is simply a small thing?—Yes, it is on a very small scale.

10292. *Chairman.*] You would be opposed to direct coercion in regard to amalgamation, but is there nothing in the shape of indirect coercion that might be brought to bear? Is not the necessity for raising large loans for water and drainage a kind of indirect coercion?—Well, the fact of going in for these is really bringing about the amalgamation of the Municipalities of the Peninsula already to a very large extent, and, I think, as I said before, that Claremont, Rondebosch and Mowbray are quite ready and willing now—at least the principal Councillors in each of them—to join. It is only Wynberg and Woodstock who don't care about falling in with the idea.

10293. Would you look upon it as a case of regrettable coercion if the Government were to say, "You cannot have loans unless you amalgamate"?—Yes; but I think it would be to the interest of the general community even if the Government were going to the length of coercing them.

10294. To that extent?—Yes, but I hope that would not be necessary, because I think that, as men of common sense, they would see that it is desirable.

10295. Supposing there was a consolidated debt managed by the Council to which you referred, and that debt had to be considerably increased for the carrying out of these works, do you think it would be an advantage to this body if the Government would guarantee their debt?—Oh, yes, and it would be quite safe, because they would have the security of the whole Peninsula.

10296. Seeing that this is the Metropolitan area, do you not think the Government might make an exception in favour of the Municipal debt pertaining to this locality so far as to the question of loans?—Yes; and as I have pointed out there is absolutely no risk whatever in the Government doing that considering the value of the property here, and besides it would be an inducement to the Municipalities to agree to the larger Council if the Government were to give them such a guarantee.

10297. Enabling them to carry the debt up to any reasonable amount subject to the approval of the Government?—Yes, that would be a very good idea, and it would certainly be a great practical advantage as far as money is concerned.

10298. *Dr. Gregory.*] With regard to the voluntary amalgamation of the Municipalities, would not that be likely to take a very long time?—I am afraid it would.

10299. And during that time, important interests would suffer and suffer permanently?—That is so.

10300. Have we not had a fair experience of the futility of voluntary co-operation in the shape of the Liesbeek River Act? - Yes.

10301. Which years ago provided for co-operation in the important matters of sewerage and for protecting the health of the district comprising the three Municipalities?—Yes.

10302. And it has practically remained a dead letter?—Yes, there is a good deal to be said in favour of that view.

10303. Mr. Stewart asked you a question about competition among the different Municipal bodies, has not the result of competition hitherto been of a most unsatisfactory nature? For instance, one notable matter of competition is in the production of Town Halls, and there are a number of other matters of the same kind?—Yes, money might have been saved by having one central Town Hall instead of small ones here and there.

10304. In fact you would not favour the system of competition amongst local bodies?—No; we have had a case where competition has come in to the detriment of the Municipality. When Claremont wanted to extend its boundary in order to control certain unsanitary houses that were being built outside the area, Rondebosch stepped in and advised the Government not to allow it. It was of course wrong on the part of Rondebosch, but it was due to a little jealousy, because they did not like to see Claremont extending its area, whereas it would have been in the interest of the general public that the addition should have taken place. There, I say, competition is undesirable.

10305. What area was that?—Just beyond the boundaries of Claremont, on the Flats.

10306. Is that what is known as the Rondebosch Extension?—No, on the right of the Rondebosch Extension; but the Rondebosch Extension is a case in point, because they ought to have taken in that area long ago, so as to put it under proper control.

10307. The Rondebosch Municipality acted the part of the dog in the manger?—Yes, and that is why I say that competition in that respect is undesirable.

10308. As a matter of fact, competition is the reverse of co-operation. It is entirely a wrong principle to apply to local authorities?—It is not the right thing in regard to Municipalities.

10309. *Mr. Stewart.*] You don't think there is any possibility of competing in respect of the cleanliness of the streets for example?—I have not noticed any indication of it.

10310. Most of it has appeared in the making of Town Halls?—Yes.

10311. But they add to the architectural beauties of the place?—Yes, at the expense of the ratepayers.

10312. *Dr. Gregory.*] As a matter of fact, competition is responsible for the number of separate water schemes?—Oh, yes.

The Reverend Frederick Bullen Moore examined.

Rev. *F. B. Moore.* 29th May, 1902.

10313. *Chairman.*] Of what Church are you the Rector?—Christ Church, Constantia.

10314. And you reside in Wynberg?—Yes.

10315. Have you resided there for many years?—Upwards of 25 years.

10316. So that you know the country round about very well?—Oh, yes, very well indeed.

10317. Mr. Gurney, who is well acquainted with the locality there, will, if you please, put some questions to you?—Yes.

10318. *Mr. Gurney.*] Your Parish extends from the border of Wynberg down to Hout Bay?—Yes.

10319. And includes St. Peter's Church at Hout Bay, which is under your charge?—Quite so.

10320. The district of Constantia is, of course, outside the Municipality of Wynberg, and for purposes of roads and sanitation it is under the Divisional Council?—Yes, for road-repairing it is under the Divisional Council, but not for sanitary purposes.

10321. That is to say, the Divisional Council does not do any sanitary work, within your knowledge?—Nothing whatever.

10322. Now let us take the roads first. There are two roads under the Divisional Council, I think, in the district of Constantia; the one running from Wynberg to Hout Bay, a distance of about nine miles?—Yes.

10323. And the other running from Constantia up to Tokai?—Is that under the Divisional Council?

10324. Yes.—I was not aware of that.

10325. Are there any other roads under the Divisional Council in that district?—None that I know of.

19326. All the other roads in the district are upon the farms and are maintained by the proprietors?—Yes, that is so; what maintenance there is, which is very little.

10327. Speaking of the two Divisional Council roads, would you say that they are well maintained as far as the quality of the work and the condition of the roads are concerned?—Well, the Tokai road seems to be very well maintained, but for the other road I don't think the ratepayers are getting any compensation; it is a mere matter of patching now and then, and that seems to be the end of it.

10328. The Tokai Road is one of quite recent construction?—Yes, and that is why it is in a fairly good condition.

10329. But the main road to Hout Bay, passing through your Parish and running a distance of 9 miles, you would not say is well maintained?—No, certainly not.

10330. Have you had many opportunities of judging whether the Divisional Council men employed are well supervised, and whether the money is well spent in that respect?—Well, with regard to the labour on the roads I consider decidedly that one half of the money is wasted on those labourers. I don't know exactly what time they are supposed to begin in the morning, but I know that at about 11·30 a.m. they begin to outspan, and they either go to sleep or play cards until about 2 o'clock in the afternoon; and then about half-past four in the afternoon you meet them with their carts going home to their different residences.

10331. So that in your opinion the ratepayers are certainly not getting value for the money spent?—Certainly not.

10332. *Chairman.*] Have you observed this yourself?—Yes, my own personal observation.

10333. *Mr. Gurney.*] And you are speaking not only of what has taken place lately, but for a long time past?—Yes, for a long period, and on many occasions I have seen them at work.

10334. From what you have seen of the Divisional Council work in the Constantia district, you are not able to speak favourably of that body?—Quite so.

10335. Almost anything substituted for that body would be preferable?—Decidedly.

10336. Then in regard to sanitary matters, if the Divisional Council has any power I understand you to say that you have not seen them exercise it?—Not to my knowledge, upon any occasion.

10337. You are of course very well acquainted with the whole of the district, you know all the cottages as well as the farms?—Oh, yes.

10338. Could you give us any idea of the population of the Constantia district?—As far as I am able to make out, the population would be about 7,000, certainly not under that.

10339. We had a witness before us the day before yesterday who, speaking from the point of view of a landed proprietor of the cottages upon his estate, said that these

cottages were being looked after by the owners of those estates; now has your experience in the course of your visits among those cottages been such as to bear out that idea?—No.

10340. Are the cottages, as a rule, built with sanitary conveniences?—No.

10341. Does that only apply to those that have been there for many years or as well to those that have lately been erected?—To both. There are now about 40 or 50 cottages which have recently been erected on the different farms, and in no single instance have such conveniences been provided for any of them. Neither has any provision been made for the water supply. These cottages are generally built on the slopes of the valley, and the whole of the Constantia area contains a series of valleys running towards Muizenberg. For instance, the first valley is Alphen, and then there is Constantia Vale, and so it goes on until you get to the mountain side; and, as a rule, these cottages are built on the side of the slopes, with no sanitary arrangements whatever. Consequently, when we have a thunderstorm or considerable rain, all the filth, refuse and abomination are carried down into these valleys, from which these people take their water for drinking and culinary purposes.

10342. This you are telling us from your own personal observation?—Oh, yes, I have seen it over and over again.

10343. Are you able to tell us anything about epidemics in the Constantia neighbourhood among the people there in consequence of this impure water?—There have been cases of typhoid in different parts, especially in the lower parts of these valleys where the refuse is taken down into the lower land. Some time ago we had a terrible outbreak there of small-pox. Otherwise I must say that the people generally are fairly healthy, but I attribute that to the enforced out-door life.

10344. Certainly not to any provision made by the proprietors of the properties in regard to sanitation and water?—There is absolutely no provision made by the proprietors, for either water or sanitary purposes.

10345. But now, speaking of these polluted streams, polluted particularly after heavy rains, forming the water supply for the people of Constantia, you are referring to the working class of the people?—Oh, yes. There are about 25 homesteads, and the proprietors have their own water supply in the shape of fountains and springs round about their own dwellings, but no cottager dare go there for water.

10346. That would only be a supply for the family?—Yes.

10347. You have a cemetery at Constantia, have you not?—Yes.

10348. That is a public cemetery?—Yes.

10349. I think you are the only trustee, are you not?—Yes, at present.

10350. This cemetery has been divided between the different churches, but the English church alone has availed itself of it practically?—Yes.

10351. Have there been a great many funerals there?—Oh, yes.

10352. How does that cemetery stand as regards these streams of water?—It is far away.

10353. So it is not likely to bring any pollution?—Not at all; it is between the farms Belle Ombre on the one side and Gilmore's farm on the other. There is no water in the vicinity.

10354. The ground was a public grant by the Government to the Board, and at the same time a loan was made by the Government for its management?—Yes.

10355. And that has been completely repaid?—Not completely.

10356. But that has been in consequence of the English Church burials taking place there?—Yes. There was an application made by the Malays, and we put every facility in their way, but they would not go to the expense of clearing the ground, and nothing further was done.

10357. With regard to that cemetery, when they made the grant to your Board were any stipulations made by the Government in the way of regulations being drawn up to provide for the burials there, in regard to the depth of the graves, and so on?—It may be possible; Mr. Albrecht was the Chairman, but is dead.

10358. But no sanitary authority of any sort has ever concerned itself about that cemetery with the view of seeing that things are done as they should be?—No.

10359. As a matter of fact, may we take it that you have had the graves dug to a proper depth?—Oh yes, I have always stipulated that they should be six feet in depth, but I have sometimes found on getting to the graveside that it is perhaps only 4 feet 6 inches or 5 feet.

10360. As a matter of fact, you have done that on your own initiative, and no controlling body has ever asked you to do it or seen that it was done?—No.

10361. You have spoken of the poor state of the main road from Constantia to Hout Bay and of the waste of public money which you consider is taking place through the want of proper supervision over the Divisional Council labourers?—Yes.

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10362. Have you given consideration to the question of what is to take the place of the Divisional Council as far as Constantia is concerned, if that body should be abolished?—Well, I think a Board of Management or a Board of Works directly under the control of the Government would answer the purpose, and in order to meet the expenditure I would be in favour of a wheel tax.

10363. You would not advocate annexation by the Wynberg Municipality?—No.

10364. Is that in consequence of your thinking that the circumstances of a rural area are so different from those of a town as to make it unsuitable?—Yes.

10365. So that you would advocate a separate Board of Management for the Constantia district?—Not for the Constantia district alone. I think it should take in the whole Peninsula.

10366. The rural part of the Peninsula?—Yes, for roads and things of that kind, including proper labour supervision.

10367. That is at present the duty of the Divisional Council?—Yes, but it is not performed.

10368. But then is it for the reform of the Divisional Council as regards the extra Municipal area that you would be asking, or for the sweeping away of the Divisional Council and getting something based on different lines altogether in its place?—Yes, doing away with the Divisional Council.

10369. How would you suggest that this Board should be formed? Should it be an elective Board?—Yes, an elective Board with extended powers under Government control.

10370. Then would you make it partly elective and partly nominative by the Government?—Perhaps that would be better.

10371. We have had some remarks made in connection with the question of valuation and particularly the valuation of farm property. One witness has advocated that, instead of the selling price of the farm being taken, the probable production should be taken. Now, would you say from your observation that the selling price of a farm would be a fair valuation for taxation purposes?—I have not given that much attention, but I don't think that would be a fair valuation.

10372. But are you satisfied with the present system and basis of valuation generally?—Not by any means. I think there should be independent and unbiassed as well as unprejudiced valuators appointed as officers under the Government, and that the Court should consist of independent individuals for the purpose of regulating the valuation of the different properties. At present the valuators and the Court are all interested in keeping up a high valuation and that is not the proper thing that ought to be done, because the valuators play into the hands of the Court who have to adjudicate and in the same way the Court plays into the hands of the valuators.

10373. So that you don't think that the valuation should be given out by tender as it is now?—Decidedly not.

10374. And would you object also to the basis on which the valuation is framed, namely: the selling price at the time of the valuation?—Yes, I think that is an unfair state of things. I don't think that property should be valued to its full extent. I don't know whether it is part of the law, but I am under the impression that it used to be two-thirds of the real value of an estate.

10375. Would that apply to a farm?—Yes, to every description of property except those properties which are exempt from taxes.

10376. But, if the valuation was fair and just and on the same basis, it would not make very much difference whether the value is full or only two-thirds?—Well, I think it would make a vast difference to the proprietors' pockets.

10377. If the rate is not reduced?—If the rate were reduced it would work round very much in the same way, but we all know that they reduce the rates at the commencement and they double the value of the property and then probably the next year up goes the rate, and where are you then? A man with a farm worth £10,000 who has to pay 2d. in the £ finds that they double his valuation and make it £20,000, but they reduce the rate, telling him that it would work out in the same way. The next year, however, the rate goes up perhaps to 2d. again, or even to 3d., and you could see at once the position of such a man. A man with a farm valued at £25,000—just look at the excessive rates on such a place.

10378. *Chairman.*] In the matter of these gangs of workmen on the roads, who supervises them?—Generally a coloured man, who stands and loiters about, but there seems to be no supervision under which the labourers are forced to do a good day's work.

10379. Is there a gang localised in Constantia district?—Well, yes, when the roads require patching, perhaps.

10380. Is there no gang told off for the area?—No.

10381. And you have never seen a gang under the control of a European overseer?—No, never.

10382. Is it a general arrangement in the Cape Division that these labour gangs are under a coloured man?—I cannot say with regard to other parts of the Colony, but that is what I have seen in this part.

10383. How many men usually form a gang?—It much depends upon the state of the work. If there is a good piece of the road to be done, there might perhaps be three or four drivers, two or three men cutting gravel, and at the same time three or four working on the road.

10384. Is there any sign put up by which a gang could be individualised, such as is done in other parts of the Colony?—No.

10385. Have you seen no indication of a number or name for the gang, so that any ratepayer passing the gang and seeing it loitering, could report "that gang number so-and-so was not doing its work"?—No, there is absolutely nothing of that kind there.

10386. Have you ever seen any of the higher officers of the Divisional Council in that neighbourhood looking after the gangs or instructing them how to work?—Never.

10387. Do these men get orders direct from Cape Town, or from whom do they get their orders?—I suppose from Cape Town.

10388. And do no overseers visit them unexpectedly to see what they are doing?—Not within my knowledge.

10389. They have no visits of surprise?—No, I don't think so.

10390. These cottages you refer to as being on the estates of Constantia, who inhabits them?—Generally the coloured people, some of whom are in service as farm labourers.

10391. All of them?—No, not all of them.

10392. Then who would the others be?—Well, little petty farmers, who have a little patch of ground, perhaps, which enables them to grow crops round about their dwellings.

10393. Do they hire that piece of ground from the owner?—Yes.

10394. And pay rent?—Oh, yes; in former times they used to pay for the rent of the cottage by doing service for one or two days, perhaps, in the week.

10395. Does your general reference to these cottages being deficient in sanitary arrangements apply to both classes—the small farmers and the employes?—Both.

10396. And would these small farmers be married men, fathers of families?—The farmers themselves have their own conveniences around their houses.

10397. Do you mean the large proprietor or the small tenant?—I mean the large proprietor has his own convenience, but the small tenant who occupies the cottage has no sanitary arrangement whatever.

10398. *Dr. Gregory.*] Round these homesteads, there is generally a collection of servants' cottages?—Not immediately round the homestead.

10399. But most of these big farms, have they not in close proximity a collection of labourers' cottages?—The cottages are generally far removed from the homesteads themselves.

10400. And your statement applies to these cottages?—Oh, yes. To my certain knowledge there have been about 40 of them built recently without any sanitary arrangements whatever.

10401. *Chairman.*] These have been built for the occupation of the smaller farmers?—For anybody.

10402. You spoke of the rain water falling upon the valleys and carrying down filth into the water; now where does that water find its way to eventually?—To Muizenberg; there are set streams there, and I daresay that before they reach the main road they are purified to a certain extent. All the cottages are built on the slopes, and the people take the water. I went to one cottage and I found that the man, who was one of my congregation, was drinking the water which was covered by a green slime, just like a beautiful carpet, and he asserted that the water was quite pure and invited me to taste it. This water was in a hole dug out of an embankment, and of course the drainage from the slope would fill this with all kinds of abomination and filth.

10403. Would the remedy for that be to enforce some kind of water supply by means of a local regulation binding owners who lease their land for such habitations?—Yes; I think they might provide those cottages with wells.

10404. Supposing the Divisional Council's power in sanitary matters were increased, would you give them power to pass a regulation "that no owner of land shall sub-divide his property or lease portions of it for occupation by individuals until he has satisfied the Council that sanitary arrangements, including water supply, have been attended to"?—Certainly; that would just meet the case.

10405. Now the Divisional Council, as a present constituted, fails to do these things because it has not got power to do them by law?—So I understand it.

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10406. Do you think it would be feasible to give the Divisional Council the requisite power?—I do certainly; that is to say, if the Divisional Council is to remain, and is not to be abolished.

10407. Well, if it is to be abolished we must set up some authority in its place?—Oh, yes, some substitution will have to be made, and that substituted power should have extended jurisdiction in order to enforce sanitary matters and a supply of water.

10408. Under a penalty?—Yes; because a man is now allowed to build, say, ten cottages, and leave them unprovided for in regard to sanitary arrangements and water.

10409. The choice of the landed proprietor would lie between providing such a water supply and sanitary arrangements or excluding such occupants from his land?—Quite so.

10410. With regard to the cemetery, are there any houses near by; any Church or other building?—No; the Church is about half a mile away from the cemetery. There are a few cottages on the Belle Ombre estate, but they are far removed from the cemetery.

10411. And who attends to the digging of the graves?—It is generally done by the people themselves. There is no sexton, and we cannot afford one as there are no funds; but whenever a funeral takes place the people do the digging themselves.

10412. Relatives of the deceased person?—Yes, and I have found no difficulty; in many cases they deem it an honour to do so.

10413. The undertaker has no responsibility in that direction?—No. In point of fact, it is such a poor district that we cannot afford it.

10414. For such a cemetery which is largely used for the coloured people?—Yes.

10415. You said that the Valuation Court and the Valuators for Municipalities are interested in keeping the valuation as high as possible?—Yes, decidedly.

10416. In what way is there a common interest?—Well, the Courts generally consist of the Municipal officers, and they are interested in maintaining the valuation as high as possible. In regard to Wynberg, the valuation has been doubled lately, and in some cases nearer trebled for the purpose of raising the assets in order to get larger loans to carry out a drainage scheme.

10417. Well, from that point of view you consider it highly necessary that there should be more Government supervision?—Oh, certainly. In fact, there should be Government valuators who would be independent and unbiassed men having nothing whatever to do with the Council, and the Councillors should not be allowed on the Court.

10418. Would it meet your view if all the valuators that are chosen by the Municipalities were approved of by a Government officer? It would be rather a costly business to have a salaried Government valuator in every district?—Could not there be a public valuator appointed by Government to do nothing else but value assets in the whole Peninsula?

10419. One man?—Yes, one common valuator.

10420. That would be in special reference to the Peninsula?—Quite so.

10421. But there is a similar objection in almost every Division, and would it not be to a large extent met by a provision that every person appointed by local bodies to value should have their names submitted to some high officer of the Government for approval?—No; I don't think that the Council of any Municipality should have any voice in the matter with regard to valuators.

10422. Not even so far as the choosing of the valuators is concerned?—No; they should have nothing whatever to do with the choosing of the valuators.

10423. Would you have them appointed entirely by the Government?—Yes, unprejudiced and unbiassed people should be appointed for the purpose.

10424. When you said that the Municipal Councils tried to keep their valuations as high as possible in order to increase their borrowing powers, did you speak by the book and from your own observation, or was it merely a kind of surmise?—It is common talk, and I don't think they deny it.

10425. Because you are aware that the borrowing powers of the Municipality bears a certain ratio to the revenue, and therefore it is their idea to keep their revenue as high as possible you think?—Yes.

10426. And from this point of view you consider some Government supervision absolutely necessary?—Yes, decidedly.

10427. Would you be in favour of having one valuation for all purposes; for the Municipality, the Divisional Council, and for succession duty purposes?—Yes, generally.

10428. *Dr. Gregory.*] What is the approximate size of your cemetery?—Two morgen. It is a strip of land extending in a triangular form to an apex at the lower end.

10429. It is really rather a nice site, is it not?—Yes, it is a very good site indeed. You may dig there to a depth of 6 feet in winter and not find any water.

10430. And still the astonishing part is that it is practically closed to Wynberg; they don't use it?—It is not used by the Wynberg people. If they do we should have a voice in the matter.

10431. Would you have any objection to the Wynberg people using it?—Not if they pay for the plots.

10432. You are aware of the difficulties which have occurred with the cemeteries in the suburban Municipalities?—Yes.

10433. And even in Wynberg there are burials in most improper places, in Church Road for example?—Yes.

10434. And yet they prefer to do that rather than go to a nice cemetery?—Yes. I must say that the Wynberg cemetery is beautifully kept, and we are not in a position to keep ours in the same way. Ours is certainly a beautiful spot, but still the embellishments of it are not such as to commend it to the people.

10435. That is because your community is too poor to keep it up?—Yes.

10436. But in dealing with burials in the suburbs, and especially in Wynberg, round about there, are you not of opinion that the Constantia cemetery is one which should have been made more use of?—Well, my portion of the Constantia cemetery is for the English Church people at Constantia, and we have only sufficient for our own people, so that if the Wynberg people came in in great numbers perhaps we should be against that, because our portion is not more than 1½ acres.

10437. But you said the cemetery was two morgen?—Yes, but that applies to all the denominations.

10438. It is a public cemetery, really?—Yes.

10439. And now you are the only trustee?—Yes, at present.

10440. How did that come about?—Generally from the death or removal of former trustees.

10441. But then have no steps been taken to replace them by other trustees?—No, I believe not.

10442. As a matter of fact, the Cemeteries Act does not contemplate only one trustee?—No, I suppose not.

10443. You are aware of the difficulties in providing burial grounds for the Malays?—Yes.

10444. Have you any idea why they refuse to bury in the Constantia cemetery?—Simply because they refuse to conform to the regulations—purchasing the plots and dealing with the ground. The labour to the extent of about £10 would clear the ground, but they don't join in the matter, and unless one man comes forward and does it I don't think anything will be done.

10445. You are personally aware of the difficulties in providing burial grounds for the Malays in the Cape Peninsula?—Yes.

10446. And it is your opinion that a good many of the difficulties raised by the Malays are hollow and should not be paid much attention to?—Yes, certainly.

10447. And that such excuses as they are always making in regard to the carrying of their dead and so forth are really made to do duty on all sorts of occasions?—Yes.

10448. And in your opinion there is no reason why they should not bury in Constantia?—No reason whatever. I have always met them, and upon one occasion I took them round to the cemetery and marked out and measured their portion of ground, but it came to nothing.

10449. They were perfectly aware that the cemetery would be under their own denomination and control?—Yes, but they would not submit to the rules and regulations of the cemetery.

10450. In spite of their refusal, you are aware that they are trying to establish a cemetery out on the Flats near Wetton road?—No, I was not aware of that.

10451. With regard to the unsanitariness of the Constantia area, which do you think would be the more feasible, to include it within the area of Wynberg so as to be under the control of their sanitary management, or to give the Divisional Council greater powers so as to enable it to look after the sanitary affairs?—I think it would be better to give the Divisional Council extended powers.

10452. You have been speaking chiefly of the farm labourers of these areas, but, in addition to the mere collection of houses on the farm areas, you are aware, are you not, that especially in the neighbourhood of Diep River, many lower class coloured persons who are not farm labourers are inhabiting unsanitary dwellings?—Yes.

10453. And it is an urgent matter that some sanitary control should be extended to those areas?—Yes.

10454. With regard to your idea of an independent Board for dealing with the valuation of property, it has been suggested by one of the witnesses that such a Board

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should consist of Government nominees, one of whom—the Chairman—should be a permanent officer, and that the remainder should be gentlemen selected from banks and other financial institutions, who are used to estimate the value of property. This Board to sit on the valuations made by the valuators, and finally to decide them. Now, would such a Board as that meet with your approval?—Yes.

10455. You consider that gentlemen connected with large financial institutions would be the most competent to give an opinion on the value of property?—Yes, decidedly.

10456. *Dr. Anderson.*] You would be satisfied with the creation of some rural sanitary authority similar to those in England for dealing with sanitation for areas like that of Constantia?—Yes.

10457. Under a rural sanitary authority, are you aware that no new houses can be occupied without a certificate of habitation and without a certificate of proper water supply? —That applies to England?

10458. Yes.—Yes; that might be done with advantage.

10459. And such powers as that could be given to the Divisional Council?—Yes, or to their successors in the shape of any Board that might be formed.

10460. Can you tell us what those cottages are constructed of?—Soft brick and plaster with corrugated iron roofs They are generally fixed on one of the ridges between the valleys in a straight line.

10461. I suppose people living in those cottages would use any chance stream of water for washing purposes?— Oh, yes, and that is another point; the washing is all done in these valleys.

10462. And they might for that purpose dam up the stream, and the water might remain stagnant?—Yes.

FRIDAY, 30th MAY, 1902.

Present:

Hon. Sir Bisset Berry (*Chairman*).

Dr. A. J. Anderson.	Mr. T. Stewart.
Mr. W. E. Gurney.	Mr. J. R. de Villiers.
Dr. A. J. Gregory.	

Harry Percival Saunders examined.

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10463. *Chairman.*] What are you by profession?—I am a contractor for boring artesian wells.

10464. How many years' experience have you had in that work?—From 1891 to 1898 I was in charge of the Government water boring branch of the Agricultural Department of this Colony.

10465. And before that?—Before that I was in the Attorney-General's Department for a short time—about a couple of years.

10466. Are you an engineer by profession?—I am not an engineer, but a contractor for boring artesian wells.

10467. Has the whole of your experience been obtained in this country?—Yes.

10468. In various parts of this Colony, I presume?—Yes, in the whole of the Colony, and I have also done work in Namaqualand for the Cape Copper Company, and at Bulawayo, for the Rhodesian Railways.

10469. Have you made any study of the country in its geological and geographical features?—Yes; I have based the whole of my boring work on the geology of the country.

10470. You have done a good deal of boring in the Cape Peninsula?—Yes; since 1898 I have done the whole of my boring in the Cape Peninsula with the exception of one or two holes only.

10471. How many holes have you put down in the Peninsula?—I have had actual supervision of about 80.

10472. And most of those have been in the neighbourhood of Cape Town and its suburbs, I presume?—Yes. I can put in a couple of maps, one of Cape Town and one of the suburbs, shewing the exact positions of 64 bore holes I have made. I have here a couple of lists giving the particulars of each bore hole: the names of the people for whom the hole was bored, the results obtained by pumping, and the depth to which the hole was bored (*Maps and Lists put in.*)

10473. What is the greatest depth to which you have bored in the suburbs ?—At Ohlsson's Brewery at Newlands, I bored to a depth of 200 feet.

10474. And what is the greatest depth in Cape Town ?—In Breda Street, at the the top, where I went to a depth of 210 feet.

10475. What was the yield of water from the deepest borehole at Newlands ?—2,500 gallons per hour by pumping, a total of 60,000 gallons for 24 hours. This result was obtained by pumping with one of Messrs. Cunningham and Gearing's pumps—a three days' trial having been made.

10476. One of the greatest yields appears to have been obtained from the hole put down for the De Beers Cold Storage Syndicate, No. 22 on your list, a hole 81 feet deep yielding 3,500 gallons of water per hour ?—That is rather a low estimate I think. I believe it will yield very much more, but even that is 84,000 gallons per day.

10477. I see a still more successful boring, an 80 foot hole for the South African Breweries at Woodstock yielding 4,250 gallons per day ?—Yes ; that was the average on a trial for three days and three nights.

10478. That appears to be the best on your list ?—It is the largest yield, but it is not the best water. I might also say, in connection with that, that they have now sunk a shaft 20 feet deep, over the bore hole, and they are pumping out of it 180,000 gallons per day and are yet unable to keep the water down. The whole of that neighbourhood seems to be one mass of water.

10479. What is the character of the water there ?—The water obtained in Woodstock and all around there is very slightly saline. It is unpolluted by any surface contamination, asI can show by the analyses which have been made of it. I remember an analysis being made of the water taken from the De Beers bore hole, and it states that the water is entirely free from organic matter. I know that it can be used for drinking purposes without any harm resulting, but there is no question about it, the water is slightly saline. In some cases it gives as much as 120 grains salt per gallon. The water is being used for the condensers. At the De Beers Cold Storage Works they are using from 60 to 80 gallons per minute for that purpose, and a large quantity is being used at Kamp's Cold Storage Works on the other side of the line. The South African Breweries are going to use their water for all ordinary purposes, except, of course, for brewing.

10480. What was the character of the water from the bore hole at Ohlsson's Brewery ?—I have never had it analysed, but the water from a bore hole at Newlands Station, below that, has been analysed, and it has been characterised as being of marvellous purity. It is of remarkable organic purity.

10481. Generally speaking, the water issuing from holes on the low-lands near the sea line is brackish, whilst the water at the upper levels is pure ?—Yes, the further you get from the sea the purer, speaking generally. For instance, at Newlands the water seems to be perfectly pure according to the analyses.

10482. I suppose it is very likely the same water which comes from the natural springs there ?—Yes ; it is water which is derived from the mountain.

10483. From everyone of these boreholes the water has to be pumped ?—Yes, from every one. We did get the water to flow from one hole, the one at Ohlsson's Brewery. We finished it in August, and that was a particularly wet year, and for six weeks, or perhaps two months, the water flowed from the top of the pipes which were carried to the surface. After that they removed these pipes to a depth of some 30 feet and built a large tank, from which they pumped the water. It does not flow out of the top now. but whether the water would flow out of the top again if the pipes were brought to the surface I could not say, and no experiment has been made. We got the greater portion of this supply of water just when we reached the hard rock at about 180 feet down. For the first 35 feet of our boring we had boulders to bore through, and there was a tremendous quantity of surface water ; below that we went through about 150 feet of decomposed clay slate and then on to the hard rock. It is the same formation everywhere. A very strange thing in connection with this same bore hole was that, for the first day or so after the completion of the bore hole, the water did not flow. We started pumping and pumped for a week at the rate of about 60,000 gallons per day, and immediately we ceased pumping the water flowed. Whether it was owing to an abnormal increase in the supply of water at that time I do not know, and I would not like to say that such a thing could be relied upon to happen again ; in fact I am perfectly sure that in the drier periods of the year the water will have to be pumped.

10484. You have about 50 bore holes in the suburbs at an average depth of 97 feet, yielding an average of 770 gallons per hole per hour and a daily aggregate of 462,000 gallons ?—Yes, that is taking a day of 12 hours. It is not to be supposed that all

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these pumps are working for 12 hours each day, therefore it would be incorrect to say that every day there is this enormous increase in the water supply of the district through the 50 bore holes which have been put down.

10485. But there would be this increase in our daily supply provided that all these pumps were kept going for the 12 hours?—Yes.

10486. But a large proportion of that, I presume, is not potable water?—I think the analyses will shew that all that water is potable, but there are other purposes for which the water is required. Very hard water would not do for washing purposes or steam purposes, but it would be most useful for the condenser, and almost all of it could be used for potable purposes.

10487. The pumping is generally done by air motor, is it not?—Not generally; some of the pumping is done by electric power, some by steam and some by hand, though a number of the smaller holes are kept going by wind power.

10488. Would you advocate the putting down of bore holes as a main, or even a considerable, source of water supply for the Peninsula?—I think it would be futile to attempt to supply any large community with water from bore holes as a main supply. There are certain ways in which boring may be very useful, but I think it would be quite impracticable to attempt to supply the Peninsula solely by means of bore holes or even to increase the supply to any considerable extent. A good deal may be done by means of bore holes, but people expect too much, and the thing must really exist upon its own merits. There is a lot to be done in the matter of getting water from bore holes, but to expect that everything should be done by that means would be to damn the whole business altogether. In certain places where you cannot get water laid on from the mains, or for people who require water for market gardening purposes, bore holes are very useful. Within the last three weeks I have finished three bore holes at Newlands between the springs and the mountain. They are for market gardeners. These men have had to expend a sum of about £70 to obtain water for their gardens and this is the class of consumer to whom the bore hole is a great benefit.

10489. Could they not get public water there?—They asked for it to be laid on, but it was not laid on.

10490. Were they not ratepayers?—Yes; but what they want is a large quantity at certain periods of the year. The usual supply of 100 gallons per day would be of no use to them.

10491. Are these bore holes mentioned in your list?—Yes; two for Harts and one for Hennick.

10492. I see there are entries of J. Hart for whom a hole has been bored to a depth of 100 feet yielding 350 gallons per hour, a T. Hart for whom a hole has been bored to a depth of 108 feet yielding 120 gallons per hour, and a Hennick for whom a hole has been bored to a depth of 92 feet yielding 400 gallons per hour?—Those are the three.

10493. Are they near each other?—Yes, they are close to each other. They had wells previously to a depth of 45 feet and had an ample supply of water in the winter, but as summer wore on the supply became less and less, and finally failed. I began my borings in the bottoms of the wells, and now that the borings are completed, I have filled up the wells, so that possible sources of pollution of water supply are now removed.

10494. How long is it since these holes were put down?—They have just been completed. They are only very small holes, but they illustrate my meaning in saying that this is a class of people who are most benefited by water borings.

10495. Do you make it your practice to watch the results of your borings for any length of time?—I visit them periodically, and I obtain the results, in the great majority of cases, from the owners themselves. I frequently go around myself and ask what results have followed the boring.

10496. How many of these bore holes have shewn a falling off in the yield?—Not one; in no case has there been any falling off in the yield. I forgot, however, that there is one case, a hole bored for Messrs. Hare. At the very end of the summer the supply from that hole decreases by about a third, but then it is high up on the mountain at Woodstock, and perhaps by going a little deeper a little more water might be obtained there. There are a great number of holes bored in that locality. They are in great demand for the brick-fields. I have put down several holes around Salt River and Woodstock for brick-field purposes.

10497. Would you say now, with reference to the failure of that particular bore hole, that it indicates to your mind that there is a rise and fall in these subterranean waters?—I do not think there is any rise. The water is derived from the mountain, and at certain times of the year, if there is a great demand on the supply, and no compensating rainfall, the supply may decrease. For instance, the De Beers are

pumping day and night, but I think that down in the lower neighbourhoods there will never be a decrease in the supply.

10498. But would not the fact that the water is somewhat more brackish there indicate that the water dams back the other way from the sea?—I do not think that the water goes back from the sea. I think that the brackishness may be caused, in supplies at holes bored near the sea, by capillary attraction. It may possibly be that, or it may be that the rocks themselves are saturated with salt and the water gets its saltiness from the rocks I am inclined to think, however, that near the sea the salinity of the water from the bore holes is due to capillary attraction. It is a remarkable thing that when we get hard rock comparatively near the surface the water is bracker. If we have a great depth of decomposed rock to go through, the water is generally very good.

10499. A suggestion was made here that, accepting it as probable that the whole of the water obtained from boring comes really from the mountain, some plan might be devised of mining or driving a tunnel along the mountain slopes for a considerable distance to intercept the flow, a tunnel of indeterminate length, say a mile?—I can hardly see that, I must say I do not know very much about it, but I can hardly agree that it would be so. It is quite possible that by tunnelling into the mountain you may increase the supply, but it would be hard to say that it would be a permanent increase. I look upon the mountain as a kind of a large tank, and if you put a small tap into a tank, and turn on the tap, the supply will last for a certain time, and perhaps before it is exhausted the tank may be re-filled. But if you put in 20 or 30 taps, or one very large tap, and let it run very quickly, the supply will become exhausted sooner.

10500. Which shews that your view is that there is no running stream underneath the ground there; it is a certain quantity stored up which you tap by means of these bore holes, and the more bore holes you put down the sooner you will exhaust the supply?—There must be a limit. There is no question about it, but we do not know what the limit is. I daresay that it may be possible to ascertain it by calculating the amount of moisture that falls on Table Mountain and what is stored in the reservoirs there. There is no running stream; I have never thought that. There is no supply outside Table Mountain. There is no such thing as real artesian water here. As you go down you gradually increase the supply.

10501. You have never sunk a hole deeper than 210 feet?—No, not in this neighbourhood, but I have sunk deeper holes. I sunk a couple of holes at Matjesfontein some time ago. One hole was sunk to a depth of 170 feet, and I felt sure at the time that we had tapped all the water that could be got there, but as the bore was obtained for experimental purposes I obtained permission to put another hole alongside the first one, and did so. We went some little distance away and we bored. We got no water below 170 feet although we went down 1,504 feet.

10502. What is the result as regards the size of the bore holes?—I put down a hole for the Railway Department, 6 inches in diameter, and a pump has been used with a 4-inch cylinder, pumping 25,000 to 26,000 gallons per day, working day and night. I put down another hole 90 feet away, a 7-inch hole, but we get no more water from it although the hole is both wider and deeper. They have put in a pump with a 5-inch cylinder there, but it does not work any better. I have advised them to put in a 4-inch cylinder and they will get the same amount of water. Really, the water is percolating there at a certain rate and it does the same all over the country.

10503. *Dr. Gregory.*] What has been the approximate cost of these bores which supply us with over 400,000 gallons of water every 12 hours?—I estimate that the boring has cost from £7,000 to £8,000. In addition to that there is the pumping machinery to be considered and also the upkeep.

10504. What do you think the upkeep amounts to?—In the case of the holes that have been put down for the use of factories the cost is very trifling. They are using the steam and the additional power required for pumping the water is inconsiderable.

10505. So that for the purposes for which you advocate supplies by water bores, the bores are the most economical means of obtaining the water?—Yes, for certain purposes.

10506. Let us take the instance of the three bore holes at Newlands which you mention. They are getting an average of 870 gallons per hour from those holes?—They could get an average of that from all three holes.

10507. Then no matter how economically the water was supplied them by the local authorities they could not get those 870 gallons per hour at such a cheap rate?—No, I should hardly say so. The way they put their situation to me was this: they said they could go along for 10 months or so on the supply that they had before, but it was the other two months of the year that ruined them. They shewed me a number of trees that had been killed by the drought, and one of the Harts said to me that he would be able to pay the whole cost of the boring next year by the sale of flowers alone. This year owing to the shortness in the water supply he had not been able to make anything out of his flowers.

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10508. For industrial and agricultural purposes, which require a fairly large amount of water delivered at one place, bore holes are about as cheap a method of obtaining it as can be devised?—For industrial purposes I agree, but for agricultural purposes do you mean irrigation?

10509. I should have said market gardening purposes?—For orchards or ordinary gardens I think that the fact that there have been so many bore holes put down proves that to be the case. The people who go in for these bore holes are people who cannot afford to waste any large sum of money. They have none to throw away, so that this mode of supply must be the cheapest, because they are not all fools in the Cape Peninsula.

10510. You would not advocate boring as a practical method of increasing the public water supply, except that indirectly it is a practical and economical way of increasing the supply by diminishing the demands upon the public supply by the amount which is used for industrial and market gardening purposes?—Yes.

10511. And in that way it is a valuable adjunct to a water scheme?—Undoubtedly.

10512. *Mr. Gurney.*] Do you know anything about the supply of water at Robben Island?—I do. I put down bore holes there myself some years ago. They were hard up for water. They had only two wells, and their supply was in a precarious condition. I put down five bore holes; two at the Female Leper Ward, one at the Male Lunatic Ward, and two at this end of the Island.

10513. To what depth was the holes carried?—The deepest hole was 83 feet, but in that case we reached the water at about 30 feet. Below that we got more water, but it was brackish, so I shut off the water below 30 feet, and now all the water from the hole is used for garden and domestic purposes.

10514. What is the amount of the supply?—I think about 35,000 or 40,000 gallons per day. The holes are only small ones: one is a 2-inch hole and the others are 3 inches in diameter.

10515. Where does that water come from?—It is water that falls on the Island itself. There is sand and a lot of sea shells which in course of time have become cemented into a kind of Saldanha Bay stone. Every drop of water that falls on the island is retained by the rocks, which are very strangely contorted. They are almost vertical, and at the edge of the island, in the direction in which the water would have run, they have been tilted quite back, so that very little of the water which falls on the island escapes. The whole of the rainfall seems to be held there. The water in the bore holes gets lower in the dry seasons and rises again in the wet seasons.

10516. *Mr. Stewart.*] In determining the position for these bore holes which you put down do you take preliminary levels and get the altitude of the ground above the sea?—No; as a rule we are told to put down a bore hole and are given a place of perhaps 10 yards square in which to commence. In some cases we are told to put down the hole exactly in the spot marked.

10517. Could you, with the information which you have got, give us the levels above the sea of the various bore holes which you have put down?—I could not.

10518. The water which you get by boring is not under pressure but has to be lifted to the surface of the ground?—In some cases the water is sub-artesian. We may go through a bank of clay 30 or 40 or 100 feet deep and then the water will rise to a certain level, but there is no real artesian water.

10519. In other words it is under purely local conditions and, without further pumping, the water could not be made available for the general supply of the district?—No.

10520. What are the general features of the geological formation in which these bore holes are? Is it alluvial or solid rock?—We always bore through the alluvial until we get through the ordinary surface—the subsoil. Then there is a bed of boulders, then a bed of decomposed clay slate and, after that, the hard blue. There is no water in the hard blue.

10521. The hard blue is a clay slate, is it not?—Yes; the same formation that has been weathered.

10522. According to you, it is absolutely out of the question to go into this hard blue to get water?—I would not go so far as that, but my experience has certainly shewn that it is quite unnecessary.

10523. You have seen the excavations made at the Docks by the Harbour Board?—Yes.

10524. And they contained no water worth speaking of?—That is so. I was asked by Mr. Jagger to express an opinion as to the utility of boring about there. I said that it was practically useless and, even if water were obtained, it would be very brack. That has been the experience of Combrinck's. I was asked to put down a bore hole

for them and I told them that the water would be brack. I had bored for Attwell's near by. One might safely say that everything on the other side of Adderley Street in the way of bore holes produces brack water.

10525. Then where you get the most water is down on the Flats?—The area in which the largest quantity of water is obtained by boring is between the Central Jetty and Salt River. That is the best area to bore if you want quantity and not quality. I have got very good water for Messrs. Daniel Mills and Sons, and Cooper's Carriage Works are pumping 600 gallons per hour by steam from a hole put down for them. That is very good water too. In some of the cases it is declared to be perfectly pure spring water.

10526. What is your theory as regards the larger supply of water from this area than from other parts?—The water is derived from the mountain, and the nearer the source the better the water. But in passing from the source of supply in the direction of the sea it passes through a variety of strata. Some of the rocks are very brack. For instance, at Maitland you may go along the railway and see in the cuttings a formation of rock which weathers to a round shape. If you take a piece of that rock and cut it you can taste the salt in it. The water passing towards the sea may meet some of this rock and take up certain of the mineral salts. On the other hand I fancy, although I may be wrong, that the water obtains some of its saltness by capillary attraction from the sea.

10527. You get the larger supplies where the drainage from the higher areas meets the sea—approximately of course?—Not necessarily. In the Newlands district, in the case of Ohlsson's Brewery, which I have mentioned, a very good supply indeed is obtained. That I take it is the drainage of the water coming down the Skeleton Gorge.

10528. It is at the confluence of several catchment areas?—Yes.

10529. The water is collected together there?—Exactly.

10530. You are aware of the rock which forms the foundation of Table Mountain?—The Table Mountain sandstone.

10531. I refer to the underlying rock?—Uunder the Table Mountain sandstone it will be granite.

10532. Do you think that you could reasonably anticipate obtaining water by driving a tunnel into the Table Mountain granite?—No; most decidedly not.

10533. *Chairman.*] Have you any other suggestion to make?—I may say something with regard to Simonstown. I have been down there once or twice. In 1896, whilst I was in the Government service, I went down there and I made a report on the supply. Later, in 1901, I was asked by the Town Council to send in a report and I did so in March of that year. It was as follows:—

> "After inspecting the springs from which the Muuicipality at present obtains the water supply, and also the locality of the Red Hill, I cannot recommend any vertical boring at any of these sites. Since the date of my last report to the Council upon this matter I have learnt nothing to induce me to alter my opinion as to the geological structure of the neighbourhood, or of the direction of the general underground flow of the water. I am, however, of opinion that careful boring or driving into the rock at right angles to the strike thereof (and to the flow of the water) and along the bedding plane, would possibly be the means of increasing the present supply; but whether this would be permanent or otherwise it is difficult to say. Such work is always experimental. Boring would probably be less expensive than driving, but there is always a possibility, however remote, of losing water by such work at an altitude. In this instance I do not anticipate such a danger, but driving would certainly remove any cause for fear as any dry crevices or outlets could be stopped with cement. Of course a bore hole sunk at the top of the hill in the locality of the Naval dam would probably yield water if bored to the requisite depth, but such boring would have to be of a large diameter and would, of necessity, be a most costly undertaking. The same remarks would apply in the case of the Red Hill locality; at both places the water would probably have to be pumped up by means of costly machinery. I pointed out to the Council's Engineer, Mr. Attridge, the most suitable site, in my opinion, for such driving or boring work as I have suggested, and I need only add that such work should be continued so long as the rock shows any water bearing crevices. The yield from the spring should be carefully measured at frequent intervals, say twice a day, during operations, in order to note any variations in the flow of water from the cutting or spring. Any work in this direction should be commenced without delay, as a more settled state of the weather in the immediate future may be reasonably expected; and water 'workings' should always be undertaken in the dry seasons."

Robert Bromley examined.

Mr *Robert Bromley.*

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10534. *Chairman.*] What are your duties and qualifications?—I am the District Inspector of Public Works for the No. 1 District, which embraces the Cape Division, and I am entrusted with the inspection of the roads and bridges in that district. I have been engaged in that capacity since 1874.

10535. Over what area do your duties take you?—My present district is from the Orange River down to the Duivenhoks River, on the boundary of Swellendam, including Bredasdorp on the Eastern side. I have within my district Calvinia, Sutherland, Ceres, Worcester, Robertson, and Annex Swellendam.

10536. Who instructs you to make the inspection of the roads in the Cape Division?—The Chief Inspector of Public Works.

10537. How often do you make these inspections?—My duties often take me over the roads, but I do not report upon them on every occasion. I make my reports about twice a year. I have a standing order to inspect these roads twice a year

10538. Is that standing order specially with reference to those in the Cape Division?—Not more than any other district.

10539. How often do you make a written report of the result of your inspection?—Twice a year.

10540. May I take it that your report goes in twice a year upon the condition of the roads in the Cape Division?—Yes, and it is afterwards sent to the Commissioner of Public Works.

10541. Are your reports ever sent to the Divisional Council?—They are not necessarily entirely sent to the Divisional Council, as a whole, whatever the Chief Inspector of Public Works thinks necessary he sends.

10542. It is left to him what is to be sent to the Divisional Council?—Yes, I report to him.

10543. On what matters do you report?—On the state of the roads and the bridges.

10544. Does the report on the state of the roads involve matters about the width?—Not so much that, as the condition of the roads and suitability to meet the requirements.

10545. If the Government were asked to make any suggestion for the construction of any piece of road, you would have to report on the necessity for it and its probable cost, I suppose?—Yes.

10546. And of the way in which it has been carried out after it has been agreed to?—Yes. It is not necessary for the Divisional Council when constructing a road to ask the Government to contribute, but if they do so, then I nave to inspect and report. I have nothing to do with the other roads, except the main roads at the request of a Council. We do not inspect the Divisional or other roads, only the main roads.

10547. Would your attention be specially directed to the condition of roads within the Municipal areas in the Cape Division?—Not more so than outside. I take a road as a whole and report on any portion of it that there is anything to say about irrespective of Municipalities through which it passes.

10548. As far as the main road through the Cape Division is concerned, do you find that it is a costly road to maintain?—Of course it is very costly, especially near to Cape Town, on account of the heavy traffic.

10549. Do you find any special difficulty here with reference to the material for the construction of the roads?—The Divisional Council have got over that difficulty now.

10550. In what way?—They have got a crusher and have a good quarry. I was asked to inspect the quarry and report upon it before the crusher was erected.

10551. Is that the quarry near Fish Hoek?—Yes. From that quarry they repair their roads near to the quarry and as far as Maitland.

10552. Is the quarry upon Crown land or is it part of a private farm?—I think it is upon Government property, but I do not know for certain.

10553. You do not know if the Cape Divisional Council have the sole right to the material from that quarry?—I do not know.

10554. Have they put up all the works there?—Yes, they erected the crusher some three years ago. About that time the Claremont gravel gave out. The Claremont gravel had been the best material which they had had up to that time. It was really the best material they have ever had in the Cape Division.

10555. What kind of gravel is that?—It is a very good gravel indeed. It is an iron stone. After it has been laid down and has had a little traffic over it it sets almost like cement and makes a very good road indeed. It is not, however, suitable for very heavy traffic. The quarries for the Claremont gravel have mostly given out.

What is left is on private property, or inaccessible, and therefore at my suggestion the Divisional Council started a crusher, and I think with very satisfactory results.

10556. What is the nature of this rock at Fish Hoek?—It is a Table Mountain sandstone of a very tough and hard nature. It is not brittle or sandy, and it makes a very good road material. I think it is the best material that could be obtained in the Cape district.

10557. Is it a costly stone to crush?—It is rather costly as it is excessively hard.

10558. Have you come to any calculation as to the cost to the Divisional Council of macadamising one mile of their road?—Of course it all depends upon the width of the road and the thickness of the bed. The Camp ground road was coated some time ago to a thickness of about 15 inches at the centre and 6 inches at the side. The road is 24 feet wide, so that the work must have been very expensive.

10559. In one of their returns the Divisional Council say that within the Municipalities in the Cape Peninsula they have to maintain a little over 33 miles of road, and that the average cost of macadam for each mile is £106 6s. 8d. Do you think that that would be a fair estimate of what they have spent upon the roads in macadam?—I do not think it would be sufficient for what is put upon the main road between Cape Town and Wynberg. I think it would be considerably more than that.

10560. Would you look upon that return as simply an office distribution of the expenditure incurred under the head of "Crusher"?—That is the average cost, I understand, and not the cost for any particular section, but the cost over the whole of their roads. I think that it is a reasonable amount, taking it altogether.

10561. Does that macadam from Fish Hoek stand the wear and tear very well?—Yes, a great deal better than any gravel, although, of course, it is very expensive to crush and quarry.

10562. Is it a large quarry?—Yes.

10563. Do you consider it practically inexhaustible?—Yes.

10564. Do you know of any reasons why the Municipalities should not be allowed to go there for their macadam as well?—None whatever, there is plenty of room there for them.

10565. Do the Divisional Council bring the macadam away by carts or railway trucks?—By railway trucks. There is a siding at the quarry, and they deliver the macadam as it is required at the different stations. I do not think they take any of that macadam beyond Maitland.

10566. Is there any special arrangement with the Railway Department for the carriage of that macadam?—I do not know what their arrangements are. They probably crush about two truck loads per day and remove about half-a-dozen truck loads at a time.

10567. Do they have their own railway trucks or not?—No, I think not.

10568. Have they a staff working regularly at the quarry?—Yes, I do not know the number of men but I think about 20 are working there.

10569. Does that include the engine staff? I presume so, but I really do not know. When I have been down there I have seen about 20 men.

10570. You have been at the place; do you consider that it is kept in fairly good working order?—Yes, in satisfactory working order.

10571. And the establishment of the quarry and crusher there has been a success so far?—A thorough success.

10572. Could you give us any idea at what cost per truck the Divisional Council might supply macadam to the various Municipalities?—I think it costs about 5s. per cubic yard, but I forget for the moment how many cubic yards go to a truck. We never use railway trucks ourselves for gravel.

10573. Your estimate would, I presume, be the cost of the gravel put on to trucks?—Yes, but Mr. Shand, the Divisional Council Engineer, would be able to tell you exactly. He used to be my assistant, and I found him a very good man indeed.

10574. You are pretty well acquainted with the roads all through the Colony?—I am.

10575. Do you think that the roads are better maintained in the Cape Division than in other divisions?—Yes, certainly. I do not know of any other Divisional Council that could do the work which the Cape Divisional Council have to get through.

10576. Of course no other Council in the Colony has the same funds?—That is so, but if you put a Council from an outside division into the Cape Division they would be entirely at sea. The country Divisional Councils as a rule do not employ qualified men.

10577. Do you think that they have a thoroughly good staff of qualified men now on the Cape Divisional Council?—Yes, I think so.

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10578. And their workmen?—Their workmen appear to me to be all right.

10579. You have made no report as to the inefficiency of the workmen at all?—No.

10580. Or of the want of supervision over the gangs?—I have not noticed any want of supervision at all. The men seem to be fairly well distributed, and appear to be always at work. Some portions of the Council's roads are sometimes out of repair, like everywhere else, but I only report on what requires to be improved.

10581. Have you ever had to make any seriously worded reports as to deficiency in the condition of the Cape Divisional main roads?—I have in previous years, but not so much lately. Their roads are now much better than they used to be.

10582. What do you find to have been the result of the tramways passing over the road?—The tramways are a terrible nuisance.

10583. Is the road in a better or a worse condition than it was?—It is this way: the tramway started at about the same time as the Divisional Council got a new engineer, and a better quality of road making material. Since that time the roads have so much improved that it is hard to say exactly what is the cause. It would not be fair to say that they are worse or even better by reason of the tramways, because the conditions are not the same.

10584. There has been a good deal of discussion as to the advisability of the Municipalities in the Cape Peninsula taking over the maintenance of main and divisional roads passing through their areas. Have you formed any opinion on the subject?—I do not see how it could be done, if the work is to be split up into a number of sections under different authorities. I cannot see how the roads could be properly maintained under such conditions. Each Municipality would require a separate gang and a separate crusher, or some means of getting the material. I think it would be much better to leave the main road in charge of one body.

10585. Suppose the Municipalities were amalgamated into one body?—Yes, with a qualified engineer to look after the work, it could be done as well by them as by the Divisional Council.

10586. One recommendation in favour of amalgamation would be that we should get a better staff of engineers and experts generally?—Yes, so long as the main road is maintained by one body the work could be done all right, but I do not think that four or five bodies would ever properly maintain it.

10587. Within the Muncipality of Cape Town does the Divisional Council do anything to the main road?—They repair the road as far as the place where the old Toll used to be, at the Tramway Power Station, coming from the South.

10588. Do they come beyond that, in any way?—Not that I know of, but I believe they used to come further. I have only been District Inspector of this district since 1888. I used to be in charge from Swellendam down to Humansdorp.

10589. Your knowledge of the condition of the roads in the Cape Division would practically be confined to the main road, and you would not be able to tell us anything with reference to Divisional roads, either within the Municipalities or outside them?—Of course I do not go over a road without noticing what it is like, even though I may not be required to make a report upon it.

10590. We find by one of the Divisional Council returns that upon the Divisional roads outside the Municipalities a sum of about £13,000 or £14,000 is spent every year. Do you think it is an excessive amount to have spent on those roads taking into consideration their condition?—I do not. Generally the Divisional Council roads have very much improved of late years, both Divisional and Main roads.

10591. The Divisional Council put down the mileage of roads outside the Municipalities at 145, therefore on an expenditure of £13,000 their figures work out at about £92 per mile per annum?—Is that outside the Cape District?

10592. No; in the Cape District but outside the Municipalities; do you think there is a fair condition of repair on those roads?—The roads are in very fair order. There are roads which require repair. Roads cannot be always perfect, but taking them all in all they are in better condition than similar roads in other Divisions.

10593. Is there any other division in the Colony where an expenditure of £92 per mile per annum is made?—Not in my district or in the adjoining districts. I cannot speak for the Port Elizabeth or Kimberley Divisions.

10594. Are all these roads macadamised?—No; most of them are only gravelled.

10595. Is the macadam limited to the main road?—Not necessarily. The Camp Ground Road is a Divisional Road, and that is as good as a main road. It is in excellent order, coated with macadam.

10596. Inside the Municipalities of the Cape Division, according to this return for 1901, there was a total expenditure of £15,000 upon the roads, and the average expenditure per mile per annum varies from £22 2 in Wynberg up to £1,000 at Simonstown?—That is just for the main street in Simonstown.

10597. Take the case of Woodstock; they have four miles of main road, and the Divisional Council claim to have spent upon that portion of road £827 per mile per annum?—That is very probable, the traffic is very heavy and the road is very narrow —only 20 feet wide in places.

10598. Whose fault is it that the road cannot be made wider?—It should be, at least, a 60 feet road, then you could distribute the traffic more.

10599. What prevents it being made wider?—Buildings and pavements. Some years ago I brought the matter to the notice of the Chief Inspector of Public Works, and he drew up a scheme for widening the road to 80 feet.

10600. Whose was the fault that the road was originally adopted at 20 feet wide?—I think it was owing to encroachments which were never prevented.

10601. Who would have been at fault in that respect?—The Divisional Council who repair the roads. Some former Councils have allowed these encroachments, which were probably made a little at a time, but that is put an end to now.

10602. Have you ever reported upon this matter of encroachments upon the road?—I believe that I have, but not recently.

10603. There is a great deal of traffic upon that road?—There is.

10604. Have you ever seen a block there?—I cannot say that I have actually seen a block but one's vehicle has often to proceed at a walk.

10605. Does the tramway go there?—Yes, and it takes up about a third of the road.

10606. What kind of buildings are there upon the encroachments?—I do not think that there are buildings. I do not happen to have the information as to what the original width was, but if the pavements were done away with the road would be very much wider.

10607. Would it not be difficult to do away with the pavements?—It would.

10608. With the pavements included, is the total width of the road 30 feet?—It is probably more than that.

10609. Have the pavements been constructed with the consent of the Divisional Council?—I should think so, being a main road.

10610. Is that road kept in fairly good condition?—It is in a very fair condition, a great deal better than it used to be.

10611. I understand that you inspect nothing but the condition of roads and bridges; are there any bridges on the main road in the Cape Division?—Yes.

10612. Are they maintained by the Divisional Council?—Yes.

10613. Did the Government originally assist in the construction of these bridges?—I think that the Government constructed the bridges, originally.

10614. Where are the bridges?—The largest one is the Victoria Bridge at Salt River, the next largest is at Durban Road, and there is also a very large bridge at Visser Hoek.

10615. What river is the Durban bridge over?—It is only a little stream, but there is a big ravine. It is on the Cape Town side of the station. There is then a stone bridge over the Liesbeek River at Newlands. Then in the direction of Simonstown there is nothing more of any importance except the one at Elsjes Bay.

10616. Does the Divisional Council spend a good deal of money on any of these bridges?—Yes; they have spent a good deal of money on some of them. Some are of a very substantial character, as, for instance, the bridge at Newlands, which is built of concrete. It requires very little repair. The wooden bridges have to be tarred and painted periodically, and portions renewed, such as the decking and the handrail. With reference to the question which you asked me just now, I am inclined to think that the Divisional roads, within the Municipalities, should be taken over by the Municipalities.

10617. But not the main roads?—I do not think so. You see the Divisional roads are only short, and they are not connected as a rule. Take the road from Claremont. Station to the house where Mr. Lind used to live. It is a distance of about 400 yards. That is a bit of Divisional road, but it does not begin at a Divisional road, nor does it end at one.

10618. Your objection would not be so cogent if the Municipalities were combined into one?—No; nor if the work was to be done by the Government.

10619. Do you think it would be possible to put the maintenance of the main road throughout the Cape Division entirely in the hands of the Government?—Yes.

10620. Would it keep the road in as good order, at less cost, or would the cost be more heavy?—I do not think there would be any difference. It would be practically the same.

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30th May, 1902.

10621. Would you have it done at the cost of the general revenue?—I think so; it is the fairest way to levy a tax of that sort.

10622. You mean that some general tax would have to be levied in order to recoup the Government for the expenditure?—Yes.

10623. Have you thought of a wheel tax, or a vehicle tax, or of carriage licences for that purpose?—I believe that cabs and all vehicles plying for hire do pay a licence.

10624. Do you think it would be possible to collect a wheel tax in this country?—It would be difficult and troublesome.

10625. In what way?—It would be troublesome to collect. The collection would be so expensive and, besides, it is like a toll; it would never bear equally upon the whole of the travelling population.

10626. It is often urged in favour of a wheel tax that you would get at the man who used the road, who cannot be got at in any other way. But would it not be a fact that nearly every man who has a cart, of any description whatever, pays rates, in some way or another, either to the Divisional Council or the Municipality?—It is difficult to say whether it would be better or not. I could not say. A man has got to pay, and he pays indirectly through the rates at the present time for using the road with his vehicle.

10627. You mean rates on the house he lives in?—Yes, and for the horse which he keeps. He has to buy corn and forage so that the Government gets a certain amount of it in railway carriage and other ways. If a man lives at Simonstown his forage must come by rail and the Government gets a profit on carrying it.

10628. Why were the tolls abolished?—I do not quite know. I think it was owing to the trouble of collection and the nuisance of stopping people on the road.

10629. Was not the cost of the collection an excessively large proportion of the revenue?—I believe so; I do not agree with tolls at all.

10630. And the collection of a wheel tax or vehicle tax would also be a very costly thing, would it not?—It would be very costly and troublesome.

10631. It would require a staff of inspectors specially for the purpose, I should presume?— Yes.

10632. And as between inter-district traffic it would be a serious nuisance, would it not?—Yes. I do think, however, that transport riders, who make a trade of the work and a livelihood out of it, might be taxed, but you certainly should not tax a farmer for using the road, because he pays rates.

10633. Would you tax a farmer who now and again goes on togt?—No; the only man outside the Municipalities who should be taxed in that way is the transport rider.

10634. And a tax on a transport rider would be a difficult thing to collect, would it not?—No, I do not think it would.

10635. How would you tax him—per wagon?—Yes.

10636. The tax, I presume, would be payable in the district in which he resides?—Yes.

10637. And that would give him the franchise of the roads of the Colony wherever he elected to go?—Yes, you would be obliged to make it so.

10638. *Dr. Gregory.*] I understand that the Government construct the bridges, and then the Divisional Councils take them over?—As a rule that is the case.

16639. Who then keeps the bridges in repair?—The Divisional Council usually.

10640. Is the construction entirely paid for out of the general revenue?—Generally, but sometimes the Divisional Council contributes.

10641. Does the Government ever contribute towards the repair of bridges?—Yes, Act 40 of 1889 provides that the payment for repairs under a certain amount is to be made by the Divisional Council of that division in which the bridge is situated, but if the repairs are to cost over that amount the Government have to do the work.

10642. The most important bridge in the Cape Division is that over the Salt River at Maitland, I believe?—Yes, I think so.

10643. Is that bridge not in a very great state of disrepair, so that it will not take a heavy weight?—It is not constructed to take a heavy load, such as a traction engine.

10644. As a matter of fact that bridge has caused considerable difficulty to the Military and other people taking out large heavy loads by road?—Not very much, because they propped up the bridge from underneath.

10645. The Military authorities did that at their own expense, did they not?—I believe the Divisional Council did it for them and they paid the Divisional Council.

10646. Should not the Divisional Council repair or reconstruct that bridge?—I think that the Government should do it.

10647. Has the question been dealt with by the Government?—It has been before the Government.

10648. Has the Divisional Council sufficient funds to repair it?—You require a new bridge there altogether.

10649. What would be the approximate cost of a suitable bridge there?—That would depend upon the design, but it would probably be about £10,000.

10650. How far have steps been taken towards getting a suitable bridge there?—The Divisional Council have applied to the Government for assistance to re-construct the bridge, and a design was prepared and an estimate got out.

10651. Do you consider that in your opinion it is an important matter that should be seen to as soon as possible?—I think it should be done, but, of course, you must not ask me to reflect upon the Government or anything of that sort. I am a Government servant.

10652. If the Divisional Council do not see to it, can the Government force them?—No, they cannot force them unless the repairs will cost less than £250.

10653. So that you come to a dead-lock more or less?—The bridge can not be repaired. It must be rebuilt. You want a new bridge there.

10654. Then the point is this: You have dual control over a matter of that description. As it stands, it is partly a Government and partly a Divisional Council matter?—I do not think so. The Act plainly states the liability both of the Government and of the Divisional Council.

10655. Should not a matter of that description be entirely under one authority?—It would be much better if the Government had the supervision of the repair and construction of all the bridges in the Colony, for two good reasons. In the first place, the Divisional Councils, as a rule, have not the funds to construct bridges, and, secondly, they have nobody competent to repair a bridge, except in the Cape Divisional Council. The only man I know in my district capable of repairing a bridge is Mr. Shand, the engineer to the Cape Divisional Council.

10656. Presuming that an effective combined local authority were put over the area of the Cape Peninsula, would you not advocate their taking over the maintenance of all the roads and bridges in that area?—It might be done, but you would require a similar body to the Cape Divisional Council. A good many of its members are practical men, such as Mr. Allen, Mr. Jenkinson, and others.

10657. Presuming that a large and competent authority were constituted to take charge of water, drainage and lighting, and all such matters within this area of the Peninsula, would you be of opinion that they should take charge of the roads and bridges, too?—Yes, but in any case it would be a similar body to the Divisional Council.

10658. If you had such a strong and effective body, you would not recommend that the Government should step in?—I think in a place like Cape Town it could be very well managed by a Board, without bringing in the Government, for the reason that you could get skilled labour and everything else that you required, but in the country districts I doubt it.

10659. We are speaking of the Municipal areas, including Maitland, being put under a strong local authority, and, in that case, would you recommend that they should take over the roads and bridges?—Yes, although there are some very expensive works, but if they were to be more than one body I would say "No."

10660. I suppose that the Government contribute, year by year, a considerable amount out of the general revenue towards the construction of the roads and bridges in the area of the Cape Divisional Council?—Government contribute towards the construction of roads, but they do not contribute anything towards the repair.

10661. I spoke of the construction of roads and bridges?—Government have not constructed any bridges lately.

10662. The £10,000 that would be required for the Maitland Bridge would have to come out of the general revenue?—I think it should come out of the general revenue. It should not be paid for by any single Municipality.

10663. So that, in your opinion, whether this large local authority takes over the roads and bridges or not, the Government should still contribute towards the cost of replacing such a bridge as the Maitland Bridge?—I think that if all the Municipalities combined in the Cape District, no assistance whatever from the Government would be necessary because they would be a very wealthy Corporation.

10664. Should they carry out all these works out of their own revenue?—Yes.

10665. Even such a work as the Maitland Bridge?—No; I should say that they should be started fairly, with all the bridges in good order.

10666. Are there any other bridges in the Peninsula which will require reconstructing, and which are likely to be expensive?—There are only small ones. The largest I know that requires reconstruction is the bridge at Hout Bay.

10667. But that is not within the Municipal areas?—No, I was speaking of the Cape Division. I do not know of any other within the Municipal areas.

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10668. There is nothing between Wynberg and Kalk Bay?—No.

10669. Or between Kalk Bay and Simonstown?—There is the Fish Hoek bridge, but that would not be a very expensive work. It might cost a couple of thousand pounds.

10670. Does it require reconstruction?—Yes, it requires it very badly at the present time.

10671. *Mr. Gurney.*] Are you aware that the Divisional Council had a balance on hand in the 30th June last of £19,500, and, in addition to that, plant valued at £20,000?—I do not know anything about their finances.

10672. Do you know if that had anything to do with the Government not seeing its way to erecting a new bridge at Maitland?—I think it was simply that the matter was not one of urgent necessity, and, perhaps, the funds at the disposal of the Government were not very plentiful at the time.

10673. You are not aware that the fact that funds were plentiful in the hands of the Divisional Council had anything to do with it?—I understood that the Divisional Council had an unpaid debt. There is a very great improvement now in the roads over what they used to be. Although the Divisional Council do not spend so much money they are in a very much better condition than they were.

10674. *Chairman.*] Is there any other point which you would like to bring before the notice of the Commission. I see that "at a special meeting of the Divisional Council held yesterday, it was unanimously resolved that the Commission ought to examine Mr. Bromley, the District Inspector of the Public Works Department, as to the condition of the Divisional Council roads in the Cape Peninsula," as they considered that "he is the only man capable of giving correct as well as fair information on matters affecting the Council"?—I do not wish to say anything about the Divisional Council at all. They are only one of the many bodies with which I have to deal. I am the only responsible officer in the Department for inspecting their roads.

10675. I take it that the Divisional Council felt that they had been maligned a little by some of the witnesses before the Commission and they look to you to rehabilitate them somewhat?—I know to what you refer, but I would rather not say anything.

10676. Your evidence seems to point to the fact that they do their work fairly well?—They have got everything that any such body should require for their work.

10677. The only point seems to be the matter of the spending of their money, and that does not come within your department?—No, I only deal with them so far as roads and bridges are concerned.

10678. And you say that their roads are kept in a better condition than the roads in any other division, and that they are in a fairly good condition considering the money spent upon them?—Yes.

10679. Is there no other point upon which you can speak in reference to the Cape Division?—I could tell you where to get a good water supply from.

10680. That would be rather interesting?—The best supply is at Twenty Four Rivers, about 70 miles from here.

10681. You have been there and know the river?—I have been there many times and know the river well.

10682. Are you acquainted with Mr. Bain's report upon it?—No, I am not.

10683. What have you to say about the river, and when were you there?—I believe that it is the strongest water supply anywhere about here. I have passed it repeatedly at all times of the year, both in winter and in summer.

10684. Is it a perennial running stream?—It is. Even in the driest time of the year I believe that you could always fill a pipe two feet in diameter without interfering with anybody's supply.

10685. That would be an enormous supply, would it not?—It would.

10686. Is it at a high level?—I do not know the altitude very well, but I think it is about 600 or 700 feet above the sea level.

10687. Is the water good?—It is excellent water.

10688. Where does the river rise?—In the Mostert's Hoek Mountains.

10689. Why is it generally referred to as Twenty-Four Rivers?—It is split up by running across a flat. I do not think that there are actually twenty-four streams, but I know that there are thirteen bridges, and in some cases two or three streams are conducted under one bridge.

10690. From what you have seen would there be much difficulty in dealing with the riparian proprietors?—I do not think so.

10691. The river discharges into the Berg River, does it not?—Yes.

10692. And between the debouchement of the Twenty-Four Rivers and the sea, how are the farms situated?—There are only a few farms.

10693. And there is an abundance of water in the Berg River?—Yes.

10694. So that if the Twenty-Four Rivers water were diverted it would not interfere seriously with the proprietors on the Berg River?—Very little, if at all. The amount of water that would be taken from that river would not make any difference.

10695. Have you ever looked at the Twenty-Four Rivers with the eye of an engineer, from the point of view of utilisation of the water by Cape Town?—I have often thought what a splendid supply it was. Even at the driest time of the year there is a large flow of water.

10696. You knew the late Mr. Bain?—I was his assistant for many years.

10697. I see from a *Report of a Select Committee on Cape Town Sanitation* in 1888 Mr. Bain was examined, and the following is a report of the examination bearing upon this matter:—

> "Have you formed any opinion as to the source from which water could be drawn, adequate for the present and future supply of the suburbs?—The only scheme I have formed is one for Cape Town, and the suburbs too, about which I spoke some time ago to the Assistant Commissioner, and he asked me to give him my ideas on the subject, which I have done in the memorandum and explanatory sketch, which I put in.
>
> "Are you of opinion that if water were taken from the sources indicated in your memorandum it would be adequate for the present and future requirements of Cape Town and suburbs?—I am; not including Wynberg, but as far as Claremont, including Woodstock, Rondebosch and Claremont, and also Green Point and Sea Point.
>
> "And including the requirements of the docks and railway?—Yes; it is an enormous stream; I have known it for the last thirty years when I have been shooting there, and there is no supply like it. It is never dry.
>
> "Where is it?—Near Porterville, between Piquetberg Station and Porterville. Saron is 600 feet above the sea level, and we can get any amount of water."

Do you agree with that?—As far as I can speak upon the subject I do. Before going any further I would like to say that I forgot one thing with reference to the taking over of main and divisional roads from the Divisional Council by all the Municipalities formed into one body, and that is, that you would have to make some arrangement for the roads outside the Municipal boundaries.

10698. Do you think that means that we would have to keep up the Divisional Council?—You could not hand over those roads to the Malmesbury Divisional Council because it is too far away, but you might make another district of Durbanville.

10699. They would certainly have to come under some Board?—Yes, because the Municipalities would not repair anything outside their own Municipal areas.

10700. The idea, of course, was that the Municipalities should make a contribution towards the maintenance of those roads to some Board which should be charged with the upkeep of those roads?—But that would be a very difficult thing to do, for any Board which had not the main roads within the Municipalities. These roads would be scattered at the different parts of the area. For instance there might be a small portion to repair in the neighbourhood of Kalk Bay and another portion in the neighbourhood of Maitland. I am afraid that scheme would not do, and I do not see how you are going to get over the difficulty.

10701. Reverting to the water question, are there any topographical difficulties in bringing water from the Twenty-Four Rivers? Is there any mountain range to come through, or would anything in the shape of a tunnel be required?—No, there is no mountain range that need be crossed; it is undulating country, but you would have to cross the Great Berg River.

10702. But there is a bridge across it?—That bridge would be of no use at all for that purpose, because it is not in the proper situation.

10703. In connection with the Twenty-Four Rivers' supply, do you know of any spot at which a reservoir might be placed?—I do not know whether it would be necessary, but one might be placed at the gap in the mountain where the river comes out. I may as well say at once that I have had nothing to do with reservoirs, and know nothing about them.

10704. You desire simply to say you have seen this splendid supply of water?—Yes.

10705. Have you seen the river in flood?—Yes, it is a tremendous stream in flood, and is distributed over a large flat.

10706. Are there other sources of supply which you could speak about?—The next best supply is at Wellington, from the Witwater, and other streams in Bain's Pass.

10707. But there you would have troubles from riparian proprietors?—Yes, that is quite likely, and in that respect Twenty-Four Rivers would give least trouble.

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10708. But it is about 75 miles from Cape Town, is it not?—I do not think it is more than 70 miles in a direct line.

10709. How far is it from Moorreesberg?—About 20 miles.

10710. *Dr. Gregory.*] Do you know of any other water supplies in addition to those you have mentioned?—There is one beyond Sir Lowry's Pass.

10711. Is that the Palmiet River?—It is the Steenbras River, and then there is a fair supply of water at Stellenbosch at the head waters of the Eerste River.

10712. Are you personally acquainted with the waters of Oliphant's Hoek?—No.

10713. *Mr Stewart.*] You gave us an idea of the quantity of water at Twenty-Four Rivers by saying that it would fill a two feet diameter pipe, at what gradient would this pipe be laid?—I should say at the same gradient as the river—1 in 80—that is what I was calculating at the time.

10714. Of course a pipe laid at 1 in 40 would give a tremendously increased supply over the same pipe at 1 in 80, both being full? I wanted to know if you had taken any gaugings of this water?—No, I am just giving you my idea.

10715. You have no idea as to how much a pipe two feet in diameter laid at that gradient would discharge?—I have not the slightest idea, I have never gone into it at all.

MONDAY, 2ND JUNE, 1902.

Present:

Hon. Sir W. Bisset Berry (*Chairman*).

Dr. A. J. Gregory.	Mr. W. E. Gurney.
Dr. A. J. Anderson.	Mr. T. Stewart.
Mr. J. E. R. de Villiers.	

Mr. St. Vincent Erskine examined.

Mr. *St. V. Erskine.* 2nd June, 1902.

10716. *Chairman.*] Will you kindly give your full name?—St. Vincent Whitshed Erskine.

10717. And your qualifications?—I am a Government land surveyor of the Transvaal and also of Natal.

10718. You are residing at Newlands?—Yes, at present.

10719. Have you had anything to do with the furnishing of the late Transvaal Government with any water schemes?—Not particularly; but generally we surveyors were all more or less mixed up with the water schemes in connection with the Vaal River. I have written a long monograph to the late Commissioner up there on the subject of the irrigation water supply for the Transvaal, and I got a reply from him thanking me for the same.

10720. Have you made any studies of the river water systems of the Cape Colony, and especially of those in the neighbourhood of the Cape Peninsula?—Yes; I have a map here dealing with the subject, and which I lay before the Commission. I may say that so far as the Steenbras River and the Palmiet River schemes are concerned——

10721. Before you proceed further, will you tell us when you made the surveys?—I will come to that. I became interested in the Hangklip Estate, and in going backwards and forwards to that estate I had to pass Steenbras River on foot on several occasions at the mouth of the river. I was then living at Rosebank, and had several conversations with different members of the Municipalities, who spoke about the abundance of water there, and I naturally began to wonder where this water came from. After I heard from them about it, and when the water question became a great one in Cape Town and the suburbs, I studied the Steenbras River catchment area, and found that there were numerous perennial streams on the farm of Mr. Struben besides the Steenbras River.

10722. Is that the place which is known as Kogel Bay farm?—Yes. I also found another river there—Rooi Els River—which is very strong, and runs into False Bay.

10723. How do you know that those are perennial streams?—I crossed them in all seasons and mostly in the dry seasons. I then came to the Buffels River, and saw many perennial streams all round the coast. I found that there was an unlimited supply of water on that side of the coast, very different from the Simon's Bay side. At last I came to the Palmiet River, which I had to cross in a big punt with wire rope and costing about £200 or £300.

10724. During what season of the year did you see that?—That was in April, I think. I saw at once that there was no river comparable with the Palmiet River anywhere else in the Cape Peninsula, and I had crossed most of the rivers, including the Eerste River and the Lourens River. I immediately became interested, and tried to find out to whom the land belonged. I found that it belonged to Messrs. Walsch Brothers of Caledon.

10725. The land throughout the Palmiet River shed?—Yes; I did not tell Messrs. Walsch Brothers that I wanted the water, but I told them that I wanted a piece of land at Pringle Bay. They wrote back, and said that they would not sell any of the area except the whole. There is also a large fishery, which I had already seen, comprising about £5,000 worth of stone buildings. I then tried to interest people in Cape Town in the purchase of the Hangklip Estate, which I had an offer of from Mr. Walsch for £10,000.

10726. The whole estate on the west of the Palmiet River?—Yes. After having acquired numerous options from Mr. Walsch, I entered into correspondence with London people, and ultimately succeeded in interesting some of them in purchasing the estate from Mr. Walsch. I had informed these London people that the principal object was to secure that portion of the Palmiet River which was nearest to the Coast for the future water supply of Cape Town. I also told one or two friends here—I think Mr. Spilhaus was one—that that was my main object, and that the other parts of the estate were merely for seaside resorts and fisheries. The estate comprises 20,000 acres, including the fisheries at Cape Hangklip. The London firm who purchased the estate are Messrs. Erskine and Sadler. They sent out their partner, Mr. S. T. Erskine, also a surveyor, of the Transvaal, to conclude the purchase and to confirm my reports. He went over the different places that I have spoken about, and also inspected the Steenbras River, and came to the same conclusion that I did—that there was not water at the Steenbras River worth speaking about for the Peninsula supply. He also crossed the Steenbras River on several occasions. Having concluded the purchase of the estate from Messrs. Walsch Brothers and taken transfer, the whole scheme was ready, as I have it here on this map. The question was then discussed by us as to whether it would be better to commence at the top and buy out the land there so as to avoid contamination, and trusting to afterwards paying out riparian rights below, or whether it would be better to commence at the sea and proceed upwards. It was ultimately decided to commence at the sea and proceed upwards, leaving no riparian rights behind. To buy up the whole of the catchment area of the Palmiet River, which is 200 square miles of land, would have cost about £100,000, so that with this object in view we started by getting options over most of the farms. We then started at the sea, and the first thing we met with was that the mouth of the river was a Government outspan and could not be purchased, but this scarcely affects the water scheme of the river higher up, as it is at high water mark. From thence we possessed the next two farms, which include Oudebosch and Dwars Rivers—about eight miles of the Palmiet River. Messrs. Erskine and Sadler possess, so to speak, the neck of the bottle. At this period no levels had been taken, and from the extremely mountainous character of the country we jumped to the conclusion that there would be a large fall of water in those mountains. But when the spirit levels were taken—I may say Mr. Erskine employed Mr. Frederick Baldwin, a Cape Government Surveyor, to accompany him—up to the affluents of the Dwars River and the Palmiet River, they found that they only had a fall of 158 feet to that point.

10727. Do I understand you to say that 158 feet is the difference between the sea level and the level of that spot?—Yes; and that fall would not be sufficient to bring the water to Cape Town by gravitation, a distance by that route of about 70 or 80 miles. The object of taking the level up to that point was to secure the water of both those streams—the Lecuw River and the Dwars River. They tried to cross there on horseback and they were washed away.

10728. What season of the year was that?—That was in January. They went no further then, and were disappointed at the extremely small fall. Then my brother set to work to acquire the whole of the catchment area of the Palmiet River, and he got Messrs. Walsch Brothers and myself to join him in the scheme. It was then concluded that we would have to acquire 200 square miles of catchment area; and it was found that it would cost about £100,000 to do so and to remove the inhabitants and, so to speak, turn it into a wilderness, for the purpose of ensuring the purity of the water. But there was a certain amount of revenue derivable from tree-planting and so on, and also afterwards in laying out game preserves; and it was considered that leasing these rights would in some slight degree compensate for the interest on the £100,000. They then set to work and acquired the options for something like £1,700 for a year.

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10729. When was this?—About 16 months ago. Their options ran out, and I wrote and asked them whether they were prepared to go on, but they replied that the English people did not encourage them to an extent which led them to believe that they would be able to raise such a large sum of money. However, with my limited means, I began to acquire what I considered to be absolutely necessary for a modified scheme after they retired from further active operations. I accordingly purchased options over the water rights up to within two miles of the road bridge at Grabouw, but one of the first things I really did was to ascertain the height of the railway bridge at Grabouw above the sea level. That level was taken by the Government on the 2nd of August, 1899, when the flood level of the Palmiet River at that place was given at 953 feet above the sea level.

10730. Where is that on the map?—I will point it out; it is just above the village of Grabouw. [Witness here pointed out the spot on the map.] The Government gauging was five feet deep on an average, with a width of 730 feet during flood time. The velocity of the surface was given at five miles an hour during the height of the flood, but the river bed being full of palmiet weeds, it cannot be used for estimating the exact quantity of water. The level of the surface of the water at the road bridge was 943 feet, which is a drop of 10 feet from the railway bridge. I might estimate the flood flow under the bridge at between 118,000,000 gallons and 120,000,000 gallons per day. The next thing which we had to ascertain was in regard to the property adjoining those places where at one spot we had got a fall of 158 feet, and at another spot a fall of 600 feet. We found that the ground above the Hangklip Estate, adjoining, was Government ground to the extent of about three miles up the river. The Government also owns numerous pieces of land above the bridge on the river controlling the upper water supply. We accordingly applied to the Government to purchase that ground and our application was recorded. The next piece of ground after passing the Government ground is Somersfontein, comprising about three-quarters of a mile of the river. This is a very peculiarly shaped farm, as it touches the river at several spots. After that we come to Krabbefontein, which comprises 2½ miles of the river. Then we come again to Somersfontein, which at that spot comprises about ½ mile of the river on both sides, the rest of Somersfontein extending for about 10 miles on one side of the river only, the other side of the river belonging to the farm Arieskraal. Then we come to De Oude Brug, and after that we come to two pieces of Government ground called Linkerhandsgat and Grabouw village. There are still some options existing in the upper parts where the Government have also land. In fact most of the land affecting this water scheme is owned by the Government higher up, that is to say they have reserved a piece of ground at the tunnel and also at Grabouw, which is about 200 feet or 300 feet lower than the tunnel. The tunnel, I think, is about 1,200 feet, or something like that, above the sea level.

10731. Do you mean the railway tunnel?—Yes; but the water would not run by gravitation to the tunnel from Grabouw Bridge. Above the bridge the river separates into two streams, the one being called Keurboom River and the other Grietjesgat River; these two rivers are very strong, and would supply enough water for the present for Cape Town, and by pursuing this up a small distance you would come to a point where the water would be above the level of the bed of the tunnel. The Government have got three farms there, one of which I believe was bought when the railway department, or somebody connected with them, had this water scheme in view. And I have no doubt that they have fuller information with regard to these properties in the Railway Department, but I am practically interested only as far as the bridge. Now I will touch on the farm Krabbefontein, over which I have also obtained the necessary options for a large scheme for the water supply which was quoted to me at £5,000 for 1,967 morgen. That is to say, the whole farm with the exception of a small corner belonging to a widow, but which does not touch the water supply. It is a very nice farm, and contains vines, fruit trees, and so on. But the real value of it is about £3,000, and therefore the other £2,000 would practically be looked upon as the water value. Then I acquired only the water right from Beukes for his portion of the farm Arieskraal and a portion of Somersfontein and Oude Brug. This gentleman does not use the water except now and again for washing sheep. For these I pay a perpetual rent. I also obtained an option from Mr. Myburgh on the other side of the river, and when this Commission was appointed I had already entered into negotiations for acquiring the rest of the river from Mr. Geeringh. I got so far that many influential people in Cape Town had consented to join me and put £12,000 into it. But so soon as the appointment of the Commission was published these gentlemen said that it would look ungraceful for them to go on with the scheme, because they joined it so near to the appointment of the Commission that it might perhaps be looked upon as a desire for propounding a blackmailing scheme. As it did not affect my brother and myself, seeing that we had taken the thing up two or three

years ago, before anybody thought of it, we were at liberty to go on with it. With regard to the gauging of the water, my brother and Mr. Baldwin gauged it where the Dwars River and the Leeuw River join, and it gave a supply of about 40,000,000 a day in the dry season and about 120,000,000 gallons a day during flood season.

10732. When was that?—About eighteen months ago, during a severe dreught.

10733. About 1900?—It was in January, 1901. [*See footnote to evidence.*]

10734. Was this gauging made below the junction?—Yes.

10735. So as to get the junction of all three rivers—that is the Dwars River, Leeuw River, and the Palmiet River?—Yes, so as to get all the water that comes into the Palmiet River, because all these streams run into the Palmiet River. That is the greatest gauging, but if you pass the Dwars River and the Leeuw River, then you lose a large quantity of water. There was a difference between the bridge and the sea of 900 feet, and so I sent a surveyor up the river to measure with a barometer. I came down the river, and we met at the farm Dwars River. I made it 245 feet, and he made it 232 feet with the barometer, which was very close indeed I came to the conclusion, that excepting for the riparian rights, it was not necessary to keep up the option over Krabbefontein, but when the gentlemen retired from the water scheme, I still kept up the idea of a large water scheme from that quarter, especially from the area covered by Somersfontein and Oudebrug and Dries Kraal, because a water scheme would not be all that is valuable connected with it, as there is also an enormous electric power going abegging. For instance, with that fall of about 600 feet, and with that enormous supply of water, both in the wet season and in the dry season, I should think about 4,000 or 5,000 horse-power, perhaps more, cou'd be made available. My estimate came nearer 9,000 horse-power, but an electrical engineer to whom I referred it estimated it at between 4,000 and 5,000 horse-power. I then went into this electric power scheme, and I enquired whether it would be more economical to put it through the sea rather than to convey it by land. And I was informed in Europe that it would be much cheaper to take it through by sea, because for such an enormous supply there would be difficulties in connection with safety regulations, and the poles would have to be put up, so that it would be very much more costly to take it by land than to take it by sea. To take it to Simonstown by cable through the sea would be comparatively cheap, and, therefore, they decided that that would be the best course to adopt, and that then they would run the Cape Suburban Railway from Simonstown by this electric power. Now, as regards the Steenbras River scheme: I crossed the river often, at least twelve times near the sea. When I read the fairy tales about the millions of gallons of water running to waste there even in the dry season, I could not understand where this water came from. One witness stated before this Commission that there is about 2,000,000 gallons per day running to waste in the dry season, while I am informed that there is not more than 500,000 gallons a day during that season. This is quite an insignificant quantity, and therefore the Steenbras River scheme resolves itself into a catchment scheme for rain water only, and it is not one which I should say should be seriously considered as a general source of water supply for the Peninsula. As the mountains surrounding the Steenbras River catchment area are not those touching the rainy zone of the Sneeuwbergen—Hottentots Holland—whence the larger perennial rivers of this end of the Continent all take their rise, it is not even a good site for a catchment flood water scheme, as the rainfall within it cannot be more than 25 or 26 inches, so that if it comes to the question of merely making dams to catch rain water--and this seems all that the Steenbras scheme can be considered to be fit for—then it would be better to make such a dam or dams at Newlands where the rainfall is over 56 inches per annum. As I say, I have been twelve times across the mouth of the Steenbras River where it falls over some cracks in a rock into the sea, and only twice was I not able to get over these cracks on foot dry shod. There are two cracks forming a small waterfall of about four or five feet deep, and mostly only one crack contains all the water which would do no more than fill a pipe about 4 inches in diameter. Making a rough guess I should say there was nothing like one million gallons of water in the dry season; it would be nearer 500,000 gallons. I told people what I discovered about the Steenbras River and they said it was impossible after they had seen all those fairy tales in the newspaper. Mr. Hennessey wrote a letter to the newspapers on the subject and said that there was no water in the Steenbras River at the top. He went to see the sponges there, but he found that they were dry sponges. He then inspected the Palmiet River, and he absolutely agreed that there was water enough there for Cape Town. Now we come to the question of bringing this water to Cape Town.

10736. Do you mean from Palmiet River?—Yes. To bring it down to Cape Town along the sea coast would be a fearful roundabout way—a distance of about 80 miles.

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10737. That is coasting it ?—Yes; but the gravitation scheme would be very cheap in comparison to pumping, and it would perhaps be better on the whole to bring it the longer distance rather than do pumping, which would involve an enormous outlay not only of plant but in superintendence as well. But by going only up to Grabouw Village you get the junction of these two strong streams which you would lose by going higher up the main stream. If you have a very small pumping installation you could pump that water up for about 200 feet to the tunnel where it would be about 1,200 feet above Cape Town, and whence it could run by gravitation. That route would be about 47 miles. I might add that the upper portion of the catchment area of the Steenbras River is practically dry in summer, and nearly all the lower waters of that river come from Mr. Struben's ground, so that the Mowbray and Rondebosch Municipalities have after all got very little for their money —at any rate they have not got a practical source of water supply. I also inspected the Oliphant's Hoek scheme plan, which convinced me that the riparian rights there would very much militate against its ultimate adoption. So that really only two unlimited perennial streams are left which are practical, and those are the Zonder End River (or Breede River) and the Palmiet River. The Zonder End River is also complicated by riparian rights, and moreover flowing, as it does, due east towards the Indian Ocean, does not offer cheap engineering facilities for diverting it. But I consider that the Palmiet River which rises in the same mountains and flows into the South Atlantic Ocean, near Cape Hangklip, close to the mouth of False Bay, is a more practical source, so much so, that, as I said before, I directed the attention of English capitalists to it. That is all I have to say on the subject. In addition to seeing Mr. Hammersley-Heenan and Mr. Jagger of the Harbour Board, I may say that I addressed a letter to Mr. Thorne, Mayor of Cape Town, upon the subject of water supply, as follows :—

"Villa Flora,
"Camp Ground Road, Newlands,
"7th March, 1902.

"To His Worship the Mayor, Cape Town.

"Your Worship,

"*RE* WATER SUPPLY.

"I have the honour to renew in writing the conversation I had with you *re* water supply from the Palmiet River, about 48 miles from Cape Town. The river at about eight miles from the sea was gauged in the dry season by two Government surveyors, and found to give a flow of 40,000,000 gallons per diem. In the flood season from gaugings made by the Cape Colonial Government at the Grabouw Bridge, about 16 or 17 miles from the sea a flood of 118,000,000 to 120,000,000 gallons passes daily. The river at the bridge over the main wagon road at Grabouw is about 900 feet above the sea, consequently there is ample head for a gravitation installation *via* the coast, the distance to Cape Town by that route being seventy to eighty miles. As the Sir Lowry's Pass Tunnel is 1,200 feet above the sea, and the river at Grabouw 900 feet above the sea, the route could be so altered that the water could be pumped to, and so through, the tunnel, and thus the distance to Cape Town would be shortened from seventy miles to forty-seven miles. By going a little higher towards the sources of the Palmiet River a site, somewhat above the altitude of the Sir Lowry's Pass Tunnel, could be selected from which to start the water, and so overcome the objection and cost of any pumping, securing for ever a continuous supply of water, flowing by gravitation to all points. The supply would no doubt be diminished below 40,000,000 gallons per diem in the dry season, but not by much, leaving ample margin for all requirements. With this end in view, and to avoid riparian claims, I have secured the options almost entirely over the water from the Grabouw Bridge downwards to the sea, and also some of the rights above the bridge towards the sources of the river. I offer to contract to deliver not less than 5,000,000 gallons of water daily into any reservoir in the neighbourhood of Cape Town, not higher than the Molteno Reservoir at 9d. (ninepence) per 1,000 gallons. If the daily demand is increased to 10,000,000 gallons, the price can be reduced to 7½d. per 1,000 gallons. The supply of water can be increased at any time up to 40,000,000 gallons per diem. No other source of supply is so free from riparian complications, nor so easily worked, or so easily acquired. No dam for the conservation of flood water is required, as the perennial

stream is so strong as to exceed in the dry season even any practical possibility of leading it all out by pipes. As the Government in this area have several pieces of land, it would be necessary to come to terms with them, but as they also require water for the Railway Department this would not be difficult. I do not attach maps or diagrams to this communication, as I suppose you have suitable maps available at the Council Chamber.

"I have the honour to be,
"Dear Sir,
"Your obedient Servant,

(Sgd.) "ST. VINCENT ERSKINE."

10738. Was there any reply from the Mayor?—Only an acknowledgment in which they said they were very much obliged. I have also a letter here from Mr. MacFarlane, dated the 28th February, 1902.

10739. Does he reside there?—Yes, he has lived in that part all his life, but he has lately moved down to Hermanuspetrusfontein.

10740. What is he—a farmer?—Well; he is at present running a general dealer's business, but I think he is a farmer by profession, at any rate, he owns farms up there. Mr. MacFarlane writes as follows:—"I am quite amused at the reports about the Steenbras River, as I have known it for the last 40 years. I can assure you that there is hardly enough water to work a small garden in the dry season. It will be simply madness to depend upon the Steenbras River for a supply of water to Cape Town. They could just as well make a dam to catch rain water in the mountains near Cape Town. The Palmiet River will fill a 3 feet pipe at any time." As a matter of fact I think it will fill a 5 feet pipe to overflowing.

10741. With the pressure you have got up there?—Yes; but I have not been able to get the velocity up there. I have written to my brother for particulars on that point, but Mr. Baldwin has got them and he is away. But it is estimated that it will fill a sluit 25 feet broad and 3 feet deep to overflowing. Of course that gives 75 square feet, which is a considerable area. That would fill a 5 feet pipe to overflowing.

10742. Do I understand that you propose to take the water from both these head streams?—Well; that was another aspect, but I concluded that the Government having so much land had already this scheme up their sleeve.

10743. You speak about bringing this water over to the Peninsula, do you mean from one river or from two? Would one river be sufficient?—I think the big river would be sufficient, but it would be necessary to cross the small one.

10744. What is the name of the larger one?—You might call it Palmiet River, but it is called also Keurboom River. Dr. Viljoen has land there also, and I am told that he has already sold a right to the Railway Department to take the water over his land.

10745. You have not measured the area drained by that river?—No; but that would be an easy matter. I have not mentioned the Kromme River, which is an affluent of the Palmiet River and joins at Krabbefontein, but like the Palmiet River there it has only a small fall, and it would be difficult to make use of these rivers so low down. I therefore abandoned that river.

10746. Your contention is that a steady and sufficient water could be brought from either of the two rivers above that junction you speak of by gravitation without constructing a reservoir?—Comparatively a little dam would be necessary, say to cost about £10,000 or £20,000.

10747. Would that be a storage reservoir?—No, merely a diverting reservoir you might call it.

10748. And without pumping?—Yes.

10749. And brought through the tunnel at Sir Lowry's Pass?—Yes, pass it under the tunnel. Of course I have not asked the Government for any data as yet as to the rivers above the bridge. We have options over the water rights on the other farms above the bridge.

10750. Do your options then cover everyone of these farms bordering on the river?—Yes, I hold that under the Roman-Dutch law, you cannot touch a drop of the water below. That is according to a decision given in a case in the Transvaal.

10751. You mean unless there is special legislation?—Yes.

10752. Your criticism on the Steenbras River scheme includes the fact that there is no great perennial flow, and that it is simply a catchment area?—Yes, and that it might do as well to put a storage reservoir at Newlands. I have crossed the river near the mouth at all seasons; in July, 1900,

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twice ; in January, 1901, twice ; twice previously in 1900, in April and May. I have also crossed near the source six or eight times backwards and forwards.

10753. But you cannot get 24 square miles catchment area at Newlands ?—Oh, yes, at the nek where the road goes over to Hout Bay ; anywhere in that valley there are several places. You see the thing is this : if they want only an intermittent supply then it will not pay anybody to go in for the scheme except the Government. If the Corporation are not going to pay all the year round then it would not pay a Company to go in for a scheme which would mean that they would only get paid for a six months' delivery. Under those circumstances it must become a Government scheme, because as I said the whole scheme would cost about £100,000 to turn the place into a desert in order to conserve the purity of the water and of course it could be turned into a forest, but if the water is only wanted for a few months in the year a company would not be able to afford it.

10754. Government might do it as against a company doing it ?—Yes.

10755. A company want the daily consumption or fixed yearly income, and there is no community which would guarantee a daily consumption ?—Yes, that was one of the first points that I went to see the Mayor, Mr. Thorne, about. He said to me, "I don't want a petty water scheme, your scheme must be able to supply at least 5,000,000 gallons of water during the dry season for a considerable time to come," and I told him that was exactly what I had. I told him that there was an abundance of water and that you could not cross that river except on horseback even in the dry season.

10756. *Dr. Gregory.*] I presume that the same remarks in regard to the Steenbras River apply to the Palmiet River in its lower regions ?—No.

10757. The main source is from the head waters ?—Yes, that is the rainy part. There are a great number of rivers and they all rise in these mountains.

10758. So that taking it at the bridge, would you get the bulk of the water there ?—Yes, I take the water at that particular spot, so as not to lose the one river which forms a strong stream.

10759. But if you take it at the bridge would you have to pump ?—Yes.

10760. Is it not possible to get round the nek ?—Then you would fall into the Steenbras River area. There is a separate watershed, which makes a low nek, but it is lower than the tunnel, and you therefore have to face the question of about 300 feet pumping. In a scheme like that people ought not to mind if they don't have immediate returns, and that is why we put it before the English people, because here they want to make money at once. Our object was that it should be an investment for ever, like the New River of London.

10761. Then the alternatives are to take the water from one or other of these streams before their junction to form the Palmiet River, or to take it from the Palmiet River at the bridge, in which case you would not have to tunnel or pump ?—Yes, and I am, of course, not sufficiently an engineer to enter into the question of wear and tear as well as the upkeep and depreciation of plant for the best scheme, because it might be better to have open conduits, instead of pipes. In that case you might have less contamination and that sort of thing. Water run in open conduits is on account of the sunlight and air playing on its surface much more healthy than water in pipes.

10762. Supposing 10,000,000 gallons were taken out of the stream above the bridge how would that practically affect your rights below—I am not speaking of your legal rights ?—Well, Mr. Beukes, who is below, does not use the water, except occasionally for his sheep, there is too much water. Mr. MacFarlane does not use the river at all, neither does Mrs. Brand, who has a small farm there. The whole country is full of perennial streams running down.

10763. So that the actual monetary value would be slight ?—Of course I cannot dispose of other people's rights.

10764. But I thought you possessed most of those rights ?—Well, the position is this : I cannot go and say that those rights are worth next to nothing, because I bought them to make money. I have got the water to sell, and you require it. I suppose there would have to be arbitration and so on, unless it could be argued that it could be dealt with under English law on the principle of compensation water. But I maintain that the law in this country affecting water rights is not at all the same as in England. People are always mixing up the two laws by thinking that the Roman-Dutch law is the same as the English law.

[Mr. Erskine subsequently supplied the following further information :

The gauging of the Palmiet River was made at about 8 miles from the sea on 13th January, 1901. The mean velocity of the stream was 2½ feet per second ; the fall in the bed $1\frac{1}{10}$ feet per 200 feet, or 0·55 per cent. ; and the discharge 4,500 cubic feet per minute, equalling 40,000,000 gallons per day of 24 hours.]

WEDNESDAY, 4TH JUNE, 1902.

Present:

Sir W. BISSET BERRY (*Chairman*).

Dr. A. J. ANDERSON.	Mr. W. E. GURNEY.
Mr. T. STEWART.	Mr. J. E. R. DE VILLIERS.
Dr. A. J. GREGORY.	

R. H. Hammersley-Heenan, M.I.C.E., further examined.

Mr. *R. H. Hammersley-Heenan* 4th June, 1902.

10765. *Chairman.*] You gave evidence before the Commission on the 10th April last, and we put a few questions to you on the matter of the discharge of sewage into Table Bay. May I ask if the Harbour Board have taken any steps in this matter?—No; they appointed me to represent them before this Commission.

10766. Since the time of the last examination?—Since the appointment of the Commission.

10767. The matter of the discharge of the sewage into Table Bay has been before the Board?—No, they look to me to protect their rights in this matter.

10768. I thought I saw that at one meeting of the Board the matter had been referred to. Did you not bring it before the notice of the Board yourself, that some such proposal had been made?—Yes, I did, I had forgotten that. It was left to me to deal with and report further upon it.

10769. It is the case, is it not, that the Harbour Board are the custodians of Table Bay?—I take it that is so by the Act No. 36 of 1896.

10770. And by that Act they are empowered to frame regulations for all matters connected with the Bay and the Docks?—Subject to the approval of the Government.

10771. Would these regulations, in your opinion, cover the question of the discharge of sewage into Table Bay?—I don't know that the regulations would, but, certainly, I take it that the Board have power to stop any objectionable scheme for discharging sewage or anything else into the Bay within their jurisdiction.

10772. As a matter of fact you know of no discharge of sewage which is taking place at the present time?—There is one small discharge, from the Railway Station, which has been permitted on the understanding that, directly the necessary apparatus arrives from England it shall be stopped, and that, I understand, from the drainage engineer, is now either here or expected.

10773. Have you come to a general conclusion upon the subject since the last occasion on which you were before us?—Yes, I have studied the matter a good deal.

10774. Would you be prepared to make any statement to the Commission on the subject of the advisability of permitting or refusing permission for the discharge of crude sewage into Table Bay?—I may state for the Commission's information that I am engaged at the present moment in consultation with Mr. Methven in designing a new harbour. We have practically finished, our design is completed. That will embrace the inclusion of a very large portion of the Bay—a very considerable portion of the Bay—and within that area I should most emphatically object to any sewage of any kind being discharged.

10775. Would that apply even to the discharge of any sewage to the northwards?—To the eastward of the old outfall of the Town Council.

10776. You mean that would be the boundary of the new harbour, or in what respect do you point out that line?—The new harbour will be bounded on the eastward, if the proposal is carried out, by a mole extending from Craig's Battery to the end of the South Pier of the present works.

10777. And beyond that, will you still be disposed to prohibit the discharge of sewage?—Anywhere within the area of Table Bay I could resist it as far as the jurisdiction of the Table Bay Harbour Board goes. Outside that, I would only resist it as a private citizen.

10778. Can you define the limits of the Harbour Board's jurisdiction?—If you draw a line from the Green Point Lighthouse through the Mouille Point Lighthouse and extend it across the Bay, everything to the southward in the Bay is under the Board's jurisdiction.

10779. Would that embrace both mouths of the Salt River?—Oh, yes.

10780. Outside that line, you do not claim to exercise jurisdiction?—We have no jurisdiction outside of that line.

Mr. R. H. Hammersley-Heenan. 4th June, 1902.

10781. Outside that line, how would the question of the discharge of sewage stand affected?—I have frequently, on many occasions within the last year or two years, passed the Cape Town sewage outfall at Green Point, and on many occasions it has been most offensive. The crude sewage has, even with the thrashing sea, been washed up on the shore.

10782. With reference to the discharge of the effluent from septic tanks, or other systems of bacteriological disposal of sewage into Table Bay, have you anything to say?—The effluent of such well known systems as the Scott-Moncrieff system, as far as I have seen, and I have seen a good many works of that kind, being interested in the matter, will be perfectly harmless.

10783. And you do not think that its discharge into the sea could be prevented?—I do not think it would be reasonable to stop it.

10784. Of course under the supervision of the Harbour Board authorities or others to see that it is properly done?—I take it for granted, of course, that the system would be in compliance with all modern improvements.

10785. Have your proposals for the drainage of the Docks been considered by the Corporation at all?—Yes, I have submitted them to the Town Council, but it was only to ask their permission to allow the sewage to be pumped into their drains and thus carried off.

10786. Sucked up?—No, forced up, pumped up.

10787. Have they made any objection to that?—I do not think that they have any objection to it, but they naturally wanted to inquire into the question.

10788. Nothing has been done?—Nothing.

10789. It is a question practically to be settled by the engineers engaged?—Yes, between the Drainage engineer and myself.

10790. Have you any further evidence on the question of the run of the currents in Table Bay?—After I had given evidence on the last occasion I refreshed my memory on what I had said about the currents, and I found that my memory had served me correctly, and that I must adhere to the evidence I gave. There are no permanent currents in Table Bay, and I am confident that any stercus or other matter deposited or discharged into the Bay will, sooner or later, find its way on to the shore.

10791. *Mr. Stewart.*] Have you seen the manner in which Glasgow deals with a portion of its sewage, and eventually puts its effluent into the Clyde?—No, I have not seen it, but I know how it is done.

10792. Do you know that they contend there that if the sewage effluent is as good as the water in the river there is no harm in putting it into the Clyde?—Yes, I thought I said that I saw no harm in putting the effluent into the Bay.

10793. You would not oppose the putting of an effluent from sewage into Table Bay if this effluent was as good, or nearly as good, as the water in the Bay?—Distinctly not. I would even go further.

10794. Provided that sewage was not put in a crude condition into the Bay, it is probable that there would be no objection on the part of the Harbour Board, but you would have to convince yourself first that the sewage was of such a nature as not to do you damage?—That is so; it is the crude sewage I am opposed to.

10795. You are opposed to putting into the Bay sewage in a crude state, but after it has been subjected to chemical or biological treatment, with the result that a fairly good effluent is obtained, you would not object to it?—No, I see no objection.

10796. *Dr. Anderson.*] No method of treating sewage would give a satisfactory effluent unless that effluent would not undergo secondary decomposition; I mean that a satisfactory sewage effluent would not undergo a secondary decomposition, and therefore you would have no objection to such an effluent being turned into Table Bay?—No.

10797. Because it would not undergo that decomposition?—That is so.

Isidor Hanau examined.

Mr. *Isidor Hanau.*

10798. *Chairman.*] You are a ratepayer residing in Wynberg and, though not a member of the Town Council of Wynberg, you have been a Town Councillor elsewhere?—Yes, since 1876, with slight intervals, I have been on public bodies.

10799. In other parts of the Colony?—Yes, Carnarvon and Victoria West.

10800. As a resident ratepayer of Wynberg, have you been at all interested in the working of your Town Council, or in the working of any other suburban Town Council?—Yes, I have been generally interested in Town Council work, and especially interested in the Wynberg Town Council. I have always followed up Municipal matters very closely.

10801. Do you think there is anything objectionable in the smallness, at the present time, of the areas in which individual Councils are controlling matters?—In some respects the smallness and in other respects the other way.

10802. Do you mean the magnitude of them?—Yes, to a certain extent some are too large. Taking Wynberg especially: when Wynberg took in Diep River and part of Claremont, increasing its area considerably, all at once the water supply failed at high levels. That has been rectified now. I point out these things specially, although trouble has arisen all over the suburbs. Wynberg was petitioned by Mr. Beard, Sir Henry Juta and others in the Claremont area, to take them over. There was no objection. They were taken and included in the Municipal boundary. When the summer came, this new area got the water supply. Later on, Diep River was taken in at a lower level, and it was then found that the water, by gravitation, went to Diep River, and the supply to the old properties with vested rights, at various high levels, failed for days and days. With the best intentions there was a failure of proper control.

10803. Those high level properties you refer to are within the area of Wynberg?—Yes, speaking generally and not specifically as regards my own case. Claremont *per contra* had a very large area to commence with, and went on improving and enlarging towards the Paradise Estate until it was found they had not got water for the Paradise Estate.

10804. In our suburban Municipalities you find some want of controlling power through the multiplication of authorities, I believe. For instance, you have the Divisional Council, the Municipal Council, the Tramway Company, and the Electric Lighting Company, all exercising control?—Yes; and the Forest Department might be added to the number.

10805. These are all more or less exercising control within one area?—Yes, and there is no central authority to keep things in order. I can give you cases in point. Claremont Municipality and Wynberg Municipality join at Station Road, and there we have the tramway. In addition to that, if a tree overhangs they have to go to the Forest Department, so that as a matter of fact in some areas there are five different authorities exercising control. Referring again to Station Road, which is in Claremont and Wynberg, that road became so unsatisfactory that I, amongst others, spoke to members of both Municipalities about it. One part of the road belonged to Wynberg and the other part to Claremont, and the result was that this road got into such a state that, to get anything done, I had to speak to Dr. Murray and others about it, and get them to take it up. Mains Avenue belonged half to Claremont and the other half to Wynberg. Some years back, Wynberg took it over, but for a time, before it was settled that Wynberg should take it over, it got into a very bad state. I daresay these same remarks apply wherever a road belongs to two Municipalities, because it becomes practically No Man's Land.

10806. Is it not the case at the present time, whatever be the reason of it, that the construction of great public works is delayed and prevented?—Yes, if any work is of any importance it affects more than one Municipality, and one has to consult the other and so on until the work is delayed.

10807. You have no drainage at Wynberg at the present time, I believe?—No, but there is a big scheme in hand.

10808. Although it was four years since it was authorised, nothing is yet done?—I do not think four years, but fully three years. Now, however, the pipes have been ordered and the scheme is in a fair way of progress.

10809. This last year your water supply failed you?—Yes, for a short period, but it was a serious shortfall, and it has been the case for summer after summer.

10810. And in the summer the same difficulty exists in other Municipalities?—Yes, in some cases even more so than at Wynberg.

10811. That is to say that necessary public works have been delayed and the water supply has been less than it ought to have been?—Notwithstanding unlimited rains and large sums of money spent by the respective Councils in the suburbs, there is a scarcity of water in the summer months, the supply being erratic and the control evidently faulty in some suburbs. The meter system not being general, water is wasted enormously in most cases where meters are wanting. To make up for that, I suppose, a minimum rate is always charged both in summer and winter in Wynberg where water is supplied by meter, any surplus over that supply being, of course, extra. On this question of the charge for water I wish to clear up certain evidence given on behalf of the Wynberg Town Council. What I want to say is this, that the ratepayers using meters are charged a minimum water rate whether they take the water or not, and they must pay extra when they get more than is allowed under this minimum rate. From what I read in the newspaper, the Commission is under a misapprehension on that point. It would appear that the Commission have been given to understand that only a minimum rate is charged. I gathered that

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that was the tenour of Mr. Vollmer's evidence, but a minimum is always charged. I am not contradicting Mr. Vollmer, but I am only clearing up what I noticed in the report. There is always a minimum rate and always an extra. The dribble system does not apply in Wynberg, but when people are supplied in that way water is wasted, and we have to pay for it though we do not waste any.

10812. With reference to the getting of more control placed into the hands of any large authority, what would you suggest? Should we combine two or three of them into one Municipality?—I should say that one or more Boards should be formed to have the management of the larger questions, like water, lighting and sewerage, leaving the Municipalities either as they are or with slight emendations to deal with purely local matters.

10813. You would be in favour of a Board of Works undertaking these larger matters for the whole of the suburbs?—Undoubtedly.

10814. One Board, or two or more Boards?—One Board would be rather a tall order because the topographical formation, and one thing and another, of the various parts of the district differ. For instance, the water supply of Wynberg is wholly different from the water supply of the Liesbeek areas.

10815. Would not one Board elected *ad hoc* deal with these things?—I think it might if it was properly constituted, just as well as the Government deals with the whole country.

10816. With representatives of the various local areas?—Yes, in that way a vast amount of money would be saved because the administration of each of these small areas costs very nearly as much as the administration of the whole area under one body would cost.

10817. But putting aside the expensiveness of the present method of working, you are of opinion that the sub-division of the suburban area into so many Municipalities as at present exist causes inevitable delay in the carrying out of necessary public works?—Undoubtedly; and then again, the areas overlap each other. For instance, more than one property is in two different districts, and what is required for those properties is done quite differently in one Municipality to the way in which it is done in the other Municipality. There is no similarity in their working.

10818. Have you thought that the existence of so many Municipal Councils prevents anything like a complete drainage scheme for the suburbs being carried out?—Certainly. Take the Liesbeek valley. There the Municipalities unless they can agree, which takes time (and even then I daresay they would not finally agree,) over a drainage scheme, have to have the whole thing hung up or else there must be three different schemes with three different outfalls. Wherever feasible, drainage and sewerage schemes should be carried out collectively for any suitable area, and that area must be independent of Municipal areas, because I consider that Municipal Councils ought to have nothing to do with large drainage works. To construct a sewerage scheme for each Municipality separately would be very costly. It would entail many different outfalls and would present innumerable difficulties and danger to public health.

10819. You consider that a great public work like that can only be undertaken on the basis of one general combination and with a spirit of co-operation throughout the whole of the suburbs?—Most decidedly.

10820. Have you any experience as to the working of our Divisional Council on the main roads that go through the Municipalities?—Yes, from general observation, and from seeing figures as to their total income and expenditure.

10821. Do you think that the maintenance of the main roads passing through Municipalities might safely be left in the hands of the Municipalities?—No, I should say that the main roads should be left with the Government to manage.

10822. You are in favour of the Government taking over the main roads?—Yes, decidedly, because the main roads go further into the country. If the control over the main roads was vested in each Municipality I consider that as a whole the roads would suffer, because of the different management in the construction and repairing of them. I would leave the main roads to the Government rather than to either the Divisional Council or the Municipalities.

10823. But is not what you call the main road from Cape Town to Wynberg really just a street passing through a considerably straggling town?—Yes, technically it is a main road, but actually it is a street, because there are houses almost all the way along, and there is kerbing and guttering. I will qualify my previous statement by saying that where such circumstances apply, as apply between here and Wynberg, that is to say, wherever the main road is really a street, it should be exempted.

10824. Do you mean that it should remain in the Municipalities?—Yes, I was speaking just now of main roads, pure and simple, as they go through the country, but where there are kerbing and guttering, electric light poles, tramway poles, and such

things to be considered, I should say most decidedly that the management of the road should be in the hands of the local Boards.

10825. Now, by bringing a portion of the main road under the control of the Municipal Councils a considerable transference of responsibility would follow from the Divisional Council to the Muncipal Councils?—Yes.

10826. You would take out of the hands of the Divisional Council the control of that road, together with the expense of keeping it up?—That is so.

10827. Therefore, the Municipal Councils would have to receive some extra powers in the way of rating or a revenue from some other source to enable them to maintain that road?—Yes, but that would be infinitely less than the cost to the ratepayers in paying the rates as they do at present.

10828. You do not think the ratepayers would have to pay so much?—No, we would not have to pay Municipal rates plus Divisional rates. It is impossible.

10829. If that arrangement is carried out, would it be your opinion that the Municipalities should still give something towards the up-keep of the outside roads in the Cape Division?—Certainly not.

10830. You do not think so?—No.

10831. It would require then a much greater revenue from the properties outside the Municipalities than is now obtained to keep those roads in order?—That is easily made up. The country is not taxed like the towns are.

10832. Then would you have the valuation of the properties outside the towns raised to a point necessary to bring in the increased revenue?—Yes. They can bear it.

10833. Are you quite clear upon that point, because there is a difference of opinion even amongst witnesses who represent Municipalities? Some would be in favour of a contribution of some kind to meet the cost of the outside roads?—I could give reasons for my opinion. The outside areas are very much more in extent and they have been all along very lightly rated in comparison to the various taxes that fall upon Municipal areas. Comparatively speaking they would be lightly rated with this extra addition, because there is such a large area. The extra amount which they would be required to provide should be practically infinitesimal, and it would have very little effect upon their rates, but if that amount was tacked on to Municipal ratepayers it would be unduly heavy.

10834. Perhaps you are not acquainted with what the results have been in the past. Excluding altogether the question of maintaining the main road which passes through the Municipalities, the cost of maintaining the outside roads in the Cape Division during the year 1901 was a little over £13,000. Out of that sum £3,000, roughly speaking, was raised by the Divisional Council from the farm properties—the country areas—and £10,000 was raised from the Municipalities. That sum was purely for the outside roads. If you were to exclude Municipalities altogether, and you were to throw the cost of maintaining the outside roads entirely upon the outside properties, you would have to increase their valuation about four times. Do you think that they could bear that?—I did not know those figures.

10835. But bearing those figures in mind, do you think, now, that the outside properties would be able to bear the increased taxation?—If that is a yearly average of the cost of the roads and the contributions towards them I must say it appears very heavy. Are you sure that is the expenditure for one year only, and that it is not an average expenditure?

10836. You may take it that it is the average expenditure for one year only?—I would ask whether in course of time that would not, so to say, be considerably reduced by the fact of the Divisional Council being abolished and the Public Works Department maintaining the roads.

10837. Do you think that the Public Works Department would work more economically than the Divisional Council?—Oh, yes, they have their machinery and their staff. I decidedly think the Public Works Department could do it more economically.

10838. Have you any remarks upon the constitution of Municipal Councils?—I am of opinion that every Municipal Council should have a legal man, some professional lawyer, or some official appointed by the Government, on its Board. From my experience I found when sitting upon a Board that there were a great many things which the ordinary members of the Council would have done but for the fact that we had a legal member on our Council who told us if we did them we should be infringing the law. I know that suburban Councils do a good many wonderful things, which I think would be prevented if there were official nominee versed in the law, or some lawyer elected by the ratepayers, sitting at the Board, who knew all about the Municipal Act, because, at present, these things are very difficult to understand. They are very conflicting.

Mr. *Isidor Haman.* 4th June, 1902.

10839. Might there not, even then, be a difference of opinion; some people say that the best way to get a Corporation into legal difficulties is to put a lawyer on the Board; would it not be better for the Board to have its own legal adviser outside its membership?—They could. We have seen from events that either these Boards have no legal adviser or they do not consult him if they have.

10840. *Mr. Gurney.*] Has it ever occurred to you that it might be advisable to allow the principle of Civil servants taking their seats on Municipal Boards?—My opinion tends in that direction. I would have Government nominees. Generally speaking, however, it is a matter that I can hardly give an opinion on.

10841. If you take a place like Wynberg, where a great many Civil servants are resident; manifestly, if a large class of the ratepayers are necessarily excluded from becoming members of the Council, you are limiting very much the choice of your Municipal representatives, are you not?—To a certain extent, but I believe that their regulations provide that Civil servants cannot be elected.

10842. Has it ever struck you that it might be desirable that they should be elected?—I have not thought over it, but, more particularly in a place like Wynberg it would certainly be very useful.

10843. There is no salary attached to the post, and meetings are held at night?—No, the representatives are not paid, and the meetings are generally held at night.

10844. So that practically if a Civil servant were elected he would be able to attend the meetings during his leisure?—Yes, and I think it would be very useful, very salutary in fact.

10845. The fact that there are so many of these small Municipalities would account for the lack of experienced Clerks who might advise upon the Council's legal liabiltiies?—Yes, it is this way: a Councillor is elected Mayor say for a couple of years and then, after he has gained his experience, another Mayor comes in, without any experience, and he has to look to the previous Mayor or to the Clerk for guidance. I do not want to go into specific cases but we have seen enough of cases where Municipal Councils have got themselves and the ratepayers into hot water, and things were done which should not be done, simply because they have either not consulted their legal advisers or they have not had any legal advisers.

10846. Then you consider that amalgamation would naturally be followed by a higher class of Clerk and adviser than the small Municipalities can get?—That might follow, but not necessarily. Wonderful things have been done in the suburbs. Of course I am speaking generally, but I must say there seems to be no safeguard.

10847. *Chairman.*] But the tendency would be in that direction?—Yes, naturally.

10848. And you would not require so many Councillors as you now require in the Municipalities, and, consequently, the ratepayers would be able to make a better selection?—Yes, but I still hold that there should be a certain number of nominees appointed by the Government.

10849. Would it not meet your purpose if the auditor of the Municipality was nominated by the Government?—I would consider that a *sine qua non*, but the other I would stick to. I would have a certain number of members on the Board appointed by the Government whether the Municipality were a small one or a large one.

10850. *Mr. Gurney.*] Do you not think that the confidence of the ratepayers would be increased if all Municipal accounts were audited by the Auditor-General of the Colony?—The Auditor-General or some auditor appointed by the Government.

10851. *Chairman.*] Are you satisfied with the present system of valuing for rating purposes in Municipalities?—I am very much opposed to the present system because, in the first place, it is so erratic. For instance, take property situated in two Municipalities. Either you have, as was lately the case, with Mr. Beard's property, where the valuer for the Wynberg Council valued the property as all within the Wynberg Municipality, which turned out to be partly in Claremont. Of course the matter was referred back to the valuators, and it was agreed with Mr. Beard that certain of the property should be held to fall within the Wynberg Municipality and the rest within the Claremont Municipality. Wynberg accepted that partition but Claremont has not, I believe, caused a valuation to be made yet and may not accept the partition. But in any case it is quite probable that you will have the anomaly of one portion of the property being valued at a certain amount per acre whilst another portion of the property is valued at quite a different sum per acre.

10852. That raises the question of the difficulties of the boundaries of the various Municipalities. In some cases the boundaries pass through various properties?—Yes, the boundaries run in a very zig-zag manner, and are not all of them fixed, even to the present day.

10853. You have some of them running down the middle of the roads?—Yes, that occurs in Mains Avenue. I do not think, in some cases, that the Councils actually know what are their boundaries.

10854. *Dr. Anderson.*] Is not the great difficulty which is met with in the matter of Municipal Councils the difficulty of getting Councillors who will learn their duties and attend to them?—I do not think there is any difficulty in getting Councillors. There are a good many retired men who for some cause or other cannot get on the Councils. The situation is such that there is not quite that representation which one would think there ought to be.

10855. The Councillors do not stop on the Councils for any length of time?—Some do, and some leave very quickly, and you have with the change of Councillors a change of ideas. Often there is no continuity, although in other cases there is too much continuity.

10856. Do you not think that if you made the local bodies larger and more important that you would get men of more account in the neighbourhood to go on them?—You might make the qualification higher or something of that kind.

10857. You will agree with me that if the bodies were made larger, embracing wider areas, with greater public works to do, more influential men might be induced to go on to the Councils?—It might be, but not necessarily.

10858. Supposing that you also put on to such a body some Government nominees, would not that have the effect of making the elected members take less interest in their work?—On the contrary, more. If there were fewer ratepayers elected they would take more interest.

10859. If these nominees were permanently appointed would it not follow that they would get matters into their own hand?—The Government nominees would be only a few for the guidance and instruction of the others, not as a majority, that is not my proposal.

10860. I am not speaking as a majority, but they would get the power into their hands through being there for the purpose of guiding, and the result would be that the affairs of the Council may be more or less left under their control?—I do not think they could get the power, because there would be always the majority of the members elected by the ratepayers, and the nominees would not be able to get any despotic power.

10861. *Chairman.*] What do you mean by paying a minimum rate for water?—I will give you an instance. A person has property valued at £5,000, and he is rated at so much per £1,000 whether he gets the water or not. He must pay according to the valuation, and any water that he gets above the quantity allowed by the minimum rate he is charged for. For instance, if in the winter months I use no water at all I am charged the minimum rate for those winter months.

10862. Then how do you come to pay extra?—If I use more than the quantity allowed under this minimum rate I must pay extra. The water is measured by a meter. This matter is also affected by the recent rise in the valuation of Wynberg. Our valuations have been doubled lately, not only for rates but also for water, so that we have to pay a double minimum. We are entirely at the mercy of valuators who may or may not be right. Further I do not want to go.

10863. Are there any other points which you would like to bring before the Commission?—In connection with the water, I have made a note as to the danger of the dribble system. It is a matter which I have been watching for years. We have not got the dribble system in Wynberg, I am thankful to say. I would certainly recommend that wherever the dribble system is in force there should be a regular inspection of the tanks. It should be an official inspection, and should be done either by a sanitary inspector or some medical officer; just the same as the houses are inspected. I know from my own experience that contaminated tanks are a fertile source of disease. I had a case in my own family at Muizenberg. The nature of the illness led us to suspect the tank water. The tank was examined, and in it were found dead cats and other impurities. The tank had been there for years and had never been examined, doubtless owing to the tenants coming and going and not staying very long in the house. This applies to the seaside places like Kalk Bay and Muizenberg. In a smaller degree perhaps there is similar danger in other places where tanks are used. For instance, I went to live in a house where there was a tank which had been put up by the hydraulic engineer. I found there was a great disadvantage in there not being a draw-off tap and so I had the tank altered. When all the water was run off, I found a thick deposit of mud which was swarming, quite alive, with germs and living matter. That water had been consumed for household purposes for years and the people who had lived in the house had suffered in consequence. Various families had lived there for some time and there had often been sickness. This is the sort of thing which shews the necessity for careful inspection of tanks which are used to hold water for drinking purposes. It is a fact though, that people do not seem to understand the danger of tanks. I say that all tanks are a source of danger and will be unless you have proper and thoroughly efficient inspections.

10864. Would you not sooner get rid of the tanks altogether than have inspections of them?—You could not do that without an Act of Parliament, I presume.

THURSDAY, 5TH JUNE, 1902.

Present:

Hon. Sir W. BISSET BERRY (*Chairman*).

DR. A. J. GREGORY.	MR. W. E. GURNEY.
DR. A. J. ANDERSON.	MR. J. E. R. DE VILLIERS.

Messrs. John McGregor (Mayor) and *Edward Hutt* (Councillor) of the Maitland Municipality, examined.

Messrs. *John McGregor* and *Edward Hutt*. 5th June, 1902.

10865. *Chairman.*] Will you give us your full name, please, Mr. McGregor?—John McGregor.

10866. And your full name, Mr. Hutt?—Edward Hutt.

10867. Mr. McGregor, you are the Mayor of Maitland?—Yes.

10868. And Mr. Hutt, you are a Councillor of the Municipality of Maitland?—Yes.

10869. You reside at Maitland and carry on business there, Mr. Mayor?—Yes.

10870. What is your business?—I am a shop-keeper.

10871. And what is your occupation, Mr. Hutt?—I am superintendent of the Maitland Cemeteries, and a landed proprietor in Maitland.

10872. How long have you been living there, Mr. Mayor?—All my life.

[*Mr. McGregor* answered most questions from this stage.]

10873. Now it was only a few months ago that Maitland was made a Municipality?—Yes.

10874. And before that time you were on the Village Management Board?—Yes.

10875. As Chairman?—Yes, I was Chairman for some time.

10876. Had you any connection with that too, Mr. Hutt?—Yes, I was a member also, and Chairman for one year.

10877. How long had Maitland been a village under the Village Management Board Act before it was made a Municipality?—About 19 years.

10878. The area of Maitland is about 900 morgen?—Yes, a little over 900 morgen; but a large portion of that—about 400 morgen—is Government property and therefore not rateable.

10879. That portion is not vested in the Municipality at all?—No.

10880. Have you any privileges over that ground? Do you use it as a commonage?—Yes.

10881. With the consent of the Government, of course?—Well, the Municipality is not using it as a commonage, but the people are using it and simply exercising their own rights. Two or three years ago we applied to the Government for that piece of ground, but we could not get it; it appears that it is vested in the Cape Town Municipality and that it was given to them by the Government for the Dunscombe drainage scheme. The Cape Town Municipality refused to give it up when we applied for it. It is the land known as the "Salt River Outspan."

10882. And it is included in that 900 morgen?—Yes.

10883. It was not included in the proclamation constituting Maitland a Municipality?—It is included in our area of the Proclamation, but is not vested in the Municipality.

10884. Do the people now use it for grazing purposes?—Yes.

10885. And they have never been interfered with in so doing?—No.

10886. To what extent do you exercise rights over it? Do you police it at all?—No, we don't exercise any public rights over it at all.

10887. You don't impound any stock from it?—No.

10888. And is it used by the Government for any purposes at the present time?—Not that I am aware of.

10889. Do people outspan there?—Yes, the ox wagons outspan there.

10890. Without let or hindrance from the Municipality ?—Yes.

10891. What is the population of Maitland ?—The population is almost 3,000, excluding the inhabitants of what is called the "Eviction Camp" at Nieuwe Molen, whose inhabitants number about 838. Of course our census is only a rough one.

10892. Is that part of the Municipality as well ?—Yes ; it is ground belonging to the Government and comprises a farm lately purchased by them.

10893. And exclusive of that you say your population is about 3,000 ?—Yes.

10894. Are they mostly Europeans, or have you many coloured people there ?—We have a good many coloured people. I should say about 2,000 coloured people and about 1,000 white people.

10895. Do the Europeans mostly carry on business in Maitland, or do they reside there and carry on business elsewhere ?—A large proportion of them carry on business in Cape Town.

10896. And the coloured people ?—The coloured people principally work there, that is to say, those that are in the village.

10897. Are the Europeans mostly property owners there, or do they rent properties ?—I have not gone into that question.

10898. Perhaps you could find that out for the Commission from the roll ?—Yes, that could be done. (*Mr. Hutt.*) About one-half of them are tenants.

10899. And with reference to the coloured people, are they mainly occupiers, or are they to some extent owners as well of the properties they live in ?—They are mainly occupiers ; to a very small extent the coloured people own property.

10900. In getting this information for us would your Clerk be able to differentiate between the Europeans and the coloured people ?—Oh, yes.

10901. And differentiate the owners of properties from those who are merely occupiers ?—Yes, he would be able to do that.

10902. That other property—the Eviction Camp—what is the area of that ?—I think about six morgen.

10903. And who live there now ?—All the undesirable people who are turned out of Cape Town are put there by the Government.

10904. And what sort of buildings are they living in there ?—They are living in the galvanised-iron buildings which used to be occupied by the military when the military were stationed there.

10905. How many persons are there ?—Well, roughly about 850. That was about the number when we made our inspection of the place about a month ago, but I don't know how many there are now ; they come and go.

10906. What class of people are they ?—Very undesirable people.

10907. Are they coloured or white ?—Coloured.

10908. How do they make a living ?—They principally come to work in Cape Town.

10909. And these people, do they come to Cape Town by train, or on foot ?—By train.

10910. Then their occupations are mainly unknown to you ?—Yes.

10911. They must be of the labouring class, chiefly ?—Yes.

10912. Are they mostly males ?—No, there are many children ; there are women too—principally washerwomen—but I should say that there would be about 150 males amongst them.

10913. And the rest are principally washerwomen and their children ?—Yes.

10914. Now was the Municipality consulted at all before these people were put there ?—No.

10915. And they were simply put into huts previously occupied by the military ?—Yes, into galvanised-iron buildings.

10916. Were the military turned out for this purpose ?—No ; when the military left the place the camp was used as a contact camp during the time of the plague, and when the contact camp was shifted to Uitvlugt these people were put there.

10917. Do you look upon these people as townspeople of Maitland ?—Yes, to a certain extent, because in connection with our Coronation festivities the children of the Eviction Camp are included, so that to a certain extent we do look upon them as belonging to Maitland.

10918. Are you going to have them as ratepayers ?—As it is Government property, I don't see how we could have them as ratepayers.

10919. How many registered voters have you in Maitland ?—We are just having the voters' roll prepared now ; the number made up by the Town Clerk is 432, but that is subject to revision, as we have not held our objection court yet.

10920. Would those be mainly owners of property ?—Owners and occupiers both included, but proportion of each not known to me.

10921. You are a Municipality constituted under the general Municipal Act No. 45 of 1882 ?—Yes.

Messrs. John McGregor and Edward Hutt. 5th June, 1902.

10922. How many Councillors have you?—Six.

10923. They are, of course, gentlemen resident and carrying on business in Maitland? Or are some of them only resident there, and carry on business elsewhere?—Some of them are only resident there.

10924. What are their occupations mainly?—There are two shop-keepers, one agent (having his business in town), and one is a retired property owner. That is the class of man, generally speaking.

10925. Have you made out a valuation roll for Maitland?—Yes.

10926. What does that show?—£312,400.

10927. That is for this year?—Yes; that is an increase of nearly £200,000 on the Divisional Council valuation of last year.

10928. And an increase of how much on the old valuation of the Village Management Board?—An increase of nearly £200,000. The old valuation of the Village Management Board was the Divisional Council valuation.

10929. Those valuations were one and the same?—Yes; of course the £312,400 is still subject to revision, as we have not held our court for hearing objections yet, and that amount may be reduced.

10930. Could you tell us the number of properties at Maitland?—Close on 700.

10931. That is exclusive of the coloured people's properties?—Yes.

10932. You are bounded on the one side by Woodstock, on another side by the Cape Flats and on the remaining side by the sea?—Yes.

10933. Is there any relation between the Municipality and the Cemeteries, or are the Cemeteries entirely distinct?—The Cemeteries are entirely distinct.

10934. They are under trustees for cemetery purposes?—Yes. They are a good distance away from Maitland.

10935. And you have nothing to do with them?—No.

10936. Have you anything to do with the Uitvlugt location?—No.

10937. *Dr. Gregory.*] Maitland had a Village Management Board up till April of this year?—Yes.

10938. And then became a Municipality under Act No. 45 of 1882?—Yes.

10939. Your boundaries as a Municipality, are they identical with the boundaries of the late Village Management Board area?—Yes, they are practically.

10940. You say practically; in what way are they not so?—We used to run down in a straight line on the Milnerton side to the sea, but now we have to go according to their lots. We have taken in certain lots which were not included before, although there has been no increase of population through that.

10941. You stated just now, that what is known as the "Maitland Eviction Camp" is now within your area?—Yes.

10942. Was that always within your area?—Yes.

10943. The whole of it?—Well the line which runs from the 22nd crossing of the railway line on this side to the northern boundary of Valkenberg includes, I think, the whole of the Eviction Camp.

10944. I ask that question because there was some doubt as to whether it was within any local authority at all?—I think it is within our Municipality.

10945. Your line must have been very close so as to exclude the location and yet include the Maitland Eviction Camp?—The line includes the brick buildings and passes just to the south of the stack of buildings and then runs to the northern boundary.

10946. South of the stack, which side is that?—To the Mackenzie's farm side.

10947. You stated it only covers a couple of morgen?—Six morgen.

10948. But that used to be Van Ryn's estate?—Yes.

10949. Well, there were about 50 morgen purchased by the Government from this estate for this camp?—I don't know how far the Government has purchased, but I only gave the six morgen as my estimate of the area the camp is placed on.

10950. Possibly there is more of that Government land then?—Yes, but outside our area.

10951. Now I think the place called Gird's farm is within your area?—The line goes through the stack.

10952. What do you mean by the stack, the windmill or the distillery?—The distillery buildings.

10953. Those buildings you say were originally occupied by the military?—Yes.

10954. And they have been adapted by being turned into a number of tenements or rooms, have they not?—Yes, I believe so.

10955. Those rooms are now let to persons who were turned out of houses unfit for habitation, and overcrowded houses in Cape Town and Woodstock during the plague?—Yes.

10956. Have they resided there ever since?—They come and go.

10957. And there are roughly speaking about 700 or 800 of them?—Between 800 and 1000.

10958. Will you take it from me that there are between 700 and 800?—Oh, yes.

10959. And the Government have established a school there, have they not?—Yes, I believe so.

10960. And the Government provides for all sanitary arrangements?—Yes

10961. And virtually it costs the Maitland Municipality nothing?—No, it costs them nothing, but these people run down wash water, and so on, into the river.

10962. *Chairman*]. Which river?—The Black River.

10963. *Dr. Gregory.*] That is merely a temporary measure, is it not?—I could not say; they have a proper drain made now to a certain extent—near to the river.

10964. You say your boundaries should include an area belonging to Cape Town, or rather which was granted to Cape Town, subject to its being used for the purposes of a sewage farm?—Yes.

10965. And you have applied to the Government to have that portion transferred to your Municipality, or to your Village Management Board, as it was then?—Yes.

10966. But you have not been able to get it transferred? No.

10967. Did you apply to them to have it transferred to you when your Municipality was constituted?—We applied when it was under the Village Management Board.

10968. Then, as a Municipality, you have not applied to have it transferred to you?—No.

10969. But your Council is strongly of opinion that it ought to be transferred, as it is no longer required for the purpose for which it was originally assigned?—Yes.

10970. And it would be of considerable use to you in providing your inhabitants with a commonage, which would be properly looked after and be under proper control?—Yes.

10971. At the present moment, it is virtually used as a commonage by the inhabitants?—Yes; in our application that we made to the Government for that piece of ground, the Village Management Board asked the Government to sell portions of it on the Koeberg Road in building lots, and to give the remainder to the Village Management Board.

10972. This ground really lies in the direction of your natural expansion?—Yes.

10973. And therefore, unless it is transferred to the Municipality, it is liable to become waste ground, or "No Man's Land," and the Municipality is likely to be prejudiced thereby, is it not?—Yes; you see, if we had that part between Maitland and Yzerplaats, then it would consolidate the place, and there would not be that great open tract, which now gives the village the appearance of two distinct places.

10974. Yzerplaats is an area lying a little distance beyond Maitland?—No; it starts on the top of the hill, and runs really inside the boundaries of Maitland.

10975. It extends along as far as Rentzkie's farm?—Yes.

10976. And the whole of that area should be within the bounds, and under the control, of your Municipality?—Yes; we applied for that when we made our application for the Municipality.

10977. And it was not granted?—No.

10978. Have you any idea of why it was not granted?—The Milnerton people objected strongly to a Municipality being formed at all; and these people, I think, were influenced by the Milnerton people, who got up a petition, so that people living on this portion, for which we applied, attended before the Commission and objected to being included.

10979. What Commission was that?—It was a Commission appointed by the Government, consisting of Mr. Blackstone Williams, the Assistant Resident Magistrate of Cape Town, Captain Jurisch, the Assistant Surveyor-General, and Mr. Ponder.

10980. And this Commission decided that that area should not be included within your Municipality?—We did not see their decision. The notification that we got was a Proclamation in the *Government Gazette.*

10981. Did you never ask to see their decision?—Our attorney asked, I think, but they told him that they had to send their report to Government, and that he could not see it.

10982. You never asked the Government?—No

10983. Neither did you ask them for their reasons for refusing to grant your application?—No.

10984. But at the same time you feel that this ground ought to have been included?—Yes.

10985. As a matter of fact, there is a considerable population springing up there, is there not?—Yes.

10986. How extensive do you think it is?—There must be at least 100 houses still outside our boundary.

10987. Containing how many inhabitants, roughly?—About 500 or 600.

10988. And those inhabitants are more or less of the lowest coloured classes?—They are of the coloured class, but I will not say of the lowest.

10989. But certainly a class that requires strict sanitary supervision?—Yes.

10990. And to your knowledge, it is a place where infectious diseases are constantly occurring?—Yes, it was a black spot during the time of the plague. They had more cases there than in Maitland itself.

10991. It is a very filthy spot?—Yes.

10992. Almost every dog kennel is occupied by human beings there?—I could not say that, but every little hut is.

10993. Every little hut and shanty is occupied?—Yes.

10994. As it stands, it is a menace to your Municipality, seeing that it is not under sanitary control?—Yes, we consider it a menace to the health of our community.

10995. And what creates a still greater difficulty in controlling it is having this large area of ground, which was originally reserved for a sewage farm, being put to no proper public purpose? I mean it causes a difficulty and an inconvenience in the exercise of control over it?—Yes.

10996. Because you have practically no continuity?—Yes.

10997. Between Maitland and Yzerplaats, which latter is under your control?—Yes.

10998. Is there any other portion of the surrounding land which you consider should be within your boundary?—There is a small portion between our boundary and the Location, which I think should be included in our Municipality and placed under our control. There is a class of houses springing up in those places which are occupied by Jews who pay no regard to sanitary matters whatever. As a matter of fact, the Inspector of the Location has reported on their unsanitary condition, and we have also had a letter from Government upon the matter.

10999. This ground is a difficulty both to the Location and to your Municipality?—Yes.

11000. Owing largely to the fact that natives who are supplied with liquor occupy the locality, a good deal of rowdyism goes on?—Yes. According to the Proclamation those people are not allowed to live in Maitland, but on this spot between the Location and Maitland the Proclamation does not apply.

11001. And that part should be included in your Municipality?—Yes.

11002. Did you properly represent all these facts, when your boundaries were being discussed?—Well, this question of the Location site had not occurred then, because there were no houses at that time.

11003. Not when your boundaries, as a Municipality, were being discussed?—No.

11004. When was this Commission sitting then?—It is about nine months since the Commission sat.

11005. This difficulty then started about nine months ago?—With regard to the Location site, I don't think there was more than one place at the time. It is only since the beginning of the year that these houses have sprung up.

11006. How many houses have sprung up since then?—At the present time there are about eight or nine houses.

11007. And how many inhabitants?—One place, I believe, has about 40 inhabitants. It is a regular sleeping place for the Kafirs.

11008. It is not only the inhabitants who actually live there, but the deleterious effect that they have, both on your Municipality and the Location?—Yes.

11009. There are slaughter houses in your district, are there not?—Yes.

11010. And there are some outside your district?—Yes; there are two inside the district.

11011. One of these is situated on the ground which should have been included in your Municipality?—Do you mean Rentzkie's farm?

11012. Yes.—There are two slaughter-houses.

11013. Yes, that is so, and they are sadly in want of sanitary control?—Yes.

11014. The Divisional Council has lately more control, owing to the new regulations, but still it would be preferable if they were within the Municipal area?—I think we are well rid of then.

11015. *Chairman.*] You have not a large plan of Maitland, which would shew particulars of all these interesting points which Dr. Gregory has brought out?—We have a plan, but it is a very old one. I think we could get one from the Surveyor General's office.

11016. Evidently the surroundings of Maitland are not of a very savoury character, and you would want improvement?—Yes.

11017. *Mr. Gurney.*] We have statements here which have been furnished to us from the late Village Management Board; I suppose you are acquainted with them, Mr. McGregor?—Yes.

11018. They are for the years ending the 31st July, apparently the financial year was so treated?—Yes.

11019. They are for the four years, 1898, 1899, 1900 and 1901, each ending with the 31st July, and then there is a statement for the five months ending December, 1901?—Yes.

11020. And those shew that the receipts for that period of 4 years and 5 months were £3,517, and the payments £3,118?—Yes.

11021. That is, the receipts exceeded the payments by £399?—Yes.

11022. The last rate, apparently, that the Village Management Board assessed was a rate of 2d.?—Yes.

11023. What rate have you assessed this year?—We have not assessed anything yet as the valuation has not been passed yet.

11024. Have you any idea of what the rate is likely to be?—No, that question has not been settled yet.

11025. Will these statements be any criterion of your expenditure and receipts, as a Municipality?—Oh no, we have not been in office three months yet, and we have had no opportunity of going into details.

11026. In that respect they would really be of very little assistance to the Commission?—Yes, we have not had much time yet.

11027. The Village Management Board had no debt?—No, we handed over about £350 to the Municipality.

11028. The salaries of the Village Management Board, apparently, were something like £200 a year?—Yes.

11029. And the new staff of the Municipality will cost a good deal more than that?—Yes.

11030. Can you give us an approximate amount?—Well, the Town Clerk gets £250; the sanitary inspector gets £150; then, there is a clerk in the office, who gets about £30; and, besides that, we will have to have, of course, a consulting engineer to advise us in any works that we might undertake.

11031. It would come to about £430, and a consulting engineer?—Yes, and then there are various other things that the new Council will have to go into, such as the appointment of a building inspector; so that the salaries will be very much larger.

11032. A Health Officer?—We are in treaty now with a medical gentleman for that office.

11033. At any rate, your salaries will be considerably more?—Yes.

11034. But then, with this large increase in the valuation of your property, your receipts will be very much larger?—Yes; and besides, we had to pay 10 per cent. for the collection of our rates to the Divisional Council before, which will now be saved.

11035. The expenditure during this period on roads, public works, and general supplies, &c., shows £1,414?—Yes.

11036. What does that mean, "public works in addition to roads"?—It is really merely following the wording of the printed form supplied by the Government.

11037. You have no other public works than roads?—No.

11038. So that it is really all road expenditure?—Yes, roads, and the main drain for carrying away storm water.

11039. *Chairman.*] You show one payment of £153 2s. for small-pox, and another payment of £31 16s. for public health?—The £31 16s. was really also for small-pox.

11040. But on the other side of the abstract, there is a refund under the Public Health Act of £244?—I think we got £144 from the Government for small-pox and £100 we got refunded from them on account of plague expenditure.

11041. In 1901, you have here, on the receipt side, £244; and in 1900 you spent £31 16s., and in 1901 £153 2s.?—Yes, £100 is in connection with the plague, which is shown under salaries and wages. I think there are two items down for wages; £188 represents the money that we paid for plague work.

11042. You have no loans in Maitland?—No.

11043. How do you get water in Maitland; where does it come from?—We are supplied from the Suburban Water Works, whence we receive 20,000 gallons per day.

11044. Is it brought down by a main and delivered to you in bulk?—No; it is delivered to individual parties in the village. Our people treat direct with the Water Works Board.

11045. They pay direct to the Water Works?—Yes.

11046. And the Water Works make their own arrangements inside your Municipality?—Yes.

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11047. Have you any idea how many people get water from the Suburban Water Works?—No; but I can let you know. You see, all our people do not get water from the Water Works; some of them get water from wells. There are 95 houses which are supplied from wells, but I could supply you with that information, as to how many people receive their water from the Water Works.

11048. What is the charge made by the Joint Committee of Management for water down there?—£2 10s. per annum for the supply of 100 gallons per day.

11049. Have they given water on those terms to everyone in Maitland?—No, for some considerable time they refused to grant any water at all, and, with the recent applications, it was only kept open for a fortnight; then they held over Maitland applications.

11050. What sort of wells have you? Are they deeply sunk artesian wells?—No, they are sunk just below the ironstone, about 10 or 12 feet, and the people get very good water. These wells are principally at Yzerplaats.

11051. Is the water not brack?—It is slightly brack.

11052. Have you had it analysed at all?—No.

11053. Are those wells protected in any way from pollution?—Yes, they are covered up.

11054. In what way?—A wall is built around, and then it is covered over; with the pump at the top.

11055. What sort of a building is put round them?—They have a nine inch wall built around them.

11056. A dry wall?—Yes.

11057. And they are within the Maitland property?—Yes.

11058. Could you guarantee that no subsoil drainage would find its way into these wells?—It might, but we have not seen any of it, and the wells, in use, are all properly walled round.

11059. But dry walls would not protect well water?—(No answer.)

11060. Are there any diseases prevalent there?—No; ours is the healthiest community in the Cape Division.

11061. Have you had before your Council, since it has come into existence, any proposal for a water scheme for Maitland?—No.

11062. Nothing further than your application to the Joint Committee of Management?—Nothing beyond that.

11063. I presume you are satisfied that these present arrangements for supplying the inhabitants with water are not very satisfactory?—Oh, yes, that is so; it will have to be the Council's endeavour to procure a suitable water supply, as the supply we have at present is not adequate at all.

11064. And although they may be satisfied with the purity of the water at the present time, as the population increases, the Council are aware of the danger of pollution being greater with such increase?—Yes; and, if it is possible to get a better water supply, the Council would be only too glad to take it, because I am perfectly certain that the people, who now use wells, would be only too glad to avail themselves of a better supply, in preference to using the well water.

11065. How do these nondescript people get water?—Which people?

11066. These labouring people on the Eviction Camp?—They receive water at present from one bore-hole.

11067. Was the hole put down by the Military?—No, the Government put it down, recently.

11068. Do you know whether these wells, put down by the Government, are of the same depth as the wells in Maitland?—No, they are in a different direction altogether, the one set being in the north of Maitland, and the other in the south. It is not the same water at all.

11069. Deep borings?—Yes.

11070. Were they done by Mr. Saunders?—I cannot say, but I know they were done by Government lately.

11071. Have you anything to suggest on behalf of Maitland, as to what ought to be done to give it a good supply of water?—We can only wait and see whether any of the schemes, contemplated by the other Municipalities, are brought through Maitland; because if so, we could make arrangements to have a share. I may say that when the Oliphant's Hoek water system was inspected, Mr. Hutt represented the Village Management Board.

[From this stage *Mr. Hutt* answered most questions.]

11072. Were you pleased, Mr. Hutt, with what you saw there?—Yes, very pleased with the water. My only regret is that the stream is not running through Maitland,

instead of at Oliphant's Hoek. We understand that, if this scheme were carried out for increasing the water supply, the water would be brought through Maitland. Whatever Corporation might undertake a water scheme and bring the water through Maitland, we would try and make the best arrangements possible with them to supply us with water, which is badly needed.

11073. You have not devised a scheme of your own but you are simply waiting in order to participate in any general scheme that might be adopted?—Well, we are badly in want of the water, but we are really too small to attempt an independent scheme.

11074. *Dr. Gregory.*] As a Municipality, would you be perfectly prepared to join in any scheme, and bear your fair share of the burden of it, provided you had a fair representation on the Board controlling such a scheme?—I think so.

11075. Would you prefer that to the mere arrangement of being supplied as a customer by some other authority?—Yes, because as a customer there is no guarantee; and we want fixture as regards the water supply. I think we would be only doing our duty to the ratepayers, if we could arrange to have a guarantee for our supply by capitalising, or entering into another scheme with others.

11076. As a Municipality, you favour joining actively in a scheme, whatever scheme is finally adopted, for the water supply of the Peninsula?—Yes.

11077. And having adequate representation upon the body controlling that scheme?—Yes.

11078. As a Village Management Board, you were not consulted in the matter?—No, not at all.

11079. But, as a Municipality, having larger and more efficient powers, you hope to be consulted?—Yes.

11080. Has your area suffered for the want of an adequate water supply?—Undoubtedly, very much; especially during the past summer; and, in fact, during the last two or three years. In Maitland, the houses which have a supply have assisted those which have had no supply whatever, in the majority of cases, I think.

11081. Do I understand you to say that, under your present arrangements, the supply has been so liberal that the houses, which are connected, have been able to supply other houses, that is to say, they have been lending them water?—Yes.

11082. That is against the regulations, is it not?—Yes, but that is a matter for somebody else. As long as our people got water we had nothing to complain of.

11083. Had you been the local authority controlling that water, you would have seen that every house took a supply and paid for it?—Yes.

11084. If you had been responsible?—Yes.

11085. Why was that neglected by the Water Board, who owns the water?—Do you mean the Joint Committee?

11086. Yes.—Because they have refused water for two or three years; in fact, they said there was no water to spare, in order to make fresh connections, and, consequently, the new houses, which were fresh put up, had no supply whatever; but our people, as a rule, use water sparingly, and so those houses, which are connected, were able to assist the others.

11087. So that these new houses practically took their water from the old connections?—They have had water, and, as a matter of fact, every house could have been joined on. I think it was a mistaken policy on the part of the Joint Committee of Management not to connect the new houses.

11088. Has the scarcity of water in your opinion delayed the expansion of Maitland to any extent?—Most decidedly.

11089. And, as soon as you get a permanent and sufficient supply of water, do you believe that your population will rapidly increase?—Yes, so much so, that I think every vacant piece of ground throughout the village would be built upon within twelve months.

11090. The same result was seen, was it not, in the case of the district known as "Observatory Road"?—Yes. (*Mr. McGregor.*) We are just about the same distance from Cape Town as the Observatory Road.

11091. Observatory Road a few years ago had no houses, when there was no water supply?—Yes.

11092. But the moment water was supplied, building commenced, and the place is now fairly covered?—Yes.

11093. And you think the same thing will happen at Maitland?—I am fully confident of that.

11094. What are your expectations with regard to a future reliable water supply?—Well, we can expect nothing at the present time, and we are waiting to see what large scheme is decided upon to give water to the Peninsula.

11095. You are really living in hopes?—Yes.

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11096 But any scheme will probably take a number of years to carry out, will it not?—I don't know. It depends considerably upon the kind of scheme, but any scheme, when it is once started, would not take more than two years.

11097. Well, at least two years would elapse?— Yes.

11098. What do you propose in the interval between the two years?—That is a difficulty which we have to face, and we can propose nothing, as we have no water in our Municipality. Besides we are too small to formulate a scheme by ourselves.

11099. So that you are in danger of being left out in the cold in any of the schemes that are being promoted?—No, I don't think so; because we have the Woodstock's Council's promise, though not officially, that, in fact, it is part of their scheme that we should join them with regard to Oliphant's Hoek.

11100. Provided that scheme is adopted and they have sufficient water?—Yes.

11101. But you have no means of assuring yourselves one way or the other?—No, but we should take it up at once, if Woodstock carried through the Oliphant's Hoek scheme.

11102. Now, do you not consider that there should be one large responsible authority for dealing with the water question in the Peninsula?—Yes.

11103. On which Maitland should have adequate representation?—Yes.

11104. And is it your opinion that this result should be obtained at an early date?—As soon as possible.

11105. Otherwise you are liable to suffer very materially in your progress, and also in the whole of your district, as it at present stands?—There is no doubt that if our water supply were in any way diminished, from what we have enjoyed the last two or three years, it will become a very serious matter for the inhabitants of Maitland during the forthcoming summer.

11106. Then you feel sure that your Council and your inhabitants would welcome the formation of a large responsible body to deal with the water supply of the Peninsula, and would join in it to the extent of your finances and your requirements?—Just so; that is why we were going in with Woodstock in a joint scheme.

11107. Which would you prefer, a scheme with Woodstock or a general scheme?—Well, I think we shall be very well satisfied to be joined with Woodstock in the matter, but the general scheme would be better, perhaps, for the Peninsula, as a whole. Personally, I am of opinion that there should be only one water scheme for the Cape Peninsula.

11108. Have you any knowledge of what your actual supply per day has been to your area?—I could not give that at all. (*Mr. McGregor.*) 20,000 gallons is the quantity that the ratepayers pay for.

11109. That is for the water supplied to the inhabitants, whose houses are connected?—Yes, as I said before, the people are not very liberal in using water, and the question is whether they are not distributing some of their water to the others.

11110. Still, as an actual fact, your public supply only runs out to an average of about seven gallons per head per day?—That is, leaving out Yzerplaats, which is practically another village.

11111. At any rate, including that, your public supply is about seven gallons per day?—Yes.

[From this stage *Mr. McGregor* answered most questions.]

11112. *Chairman.*] I suppose in the matter of drainage you have not done much in Maitland?—No.

11113. You have no underground drainage?—No.

11114. Have you been making any gutters in the streets?—We have made one gutter down the main street for some distance, but it is a matter which we have been unable to touch yet.

11115. You have no danger from stormwater?—No.

11116. Have you been asked by Woodstock to join in their drainage scheme?—The Village Management Board was asked by them some two years back, but I don't think anything was done.

11117. Do you know what reply was given?—I don't think they agreed to join. (*Mr. Hutt.*) We could not entertain the question then

11118. The buildings in your Municipality, it appears, are so scattered, that it would be rather a costly matter to attempt to drain every house?—Yes,

11119. So that, it has not been pressed upon you as an urgent necessity?—No.

11120. Have you any sanitary system at all, carried on by the Municipality at Maitland?—Yes, we carry out sanitary removals, departmentally, and we bury the stercus. We have a proposal now from a syndicate to deal with our stercus and slop water, by destroying it by fire.

11121. By a destructor?—Yes.

11122. Is that a syndicate of local people?—No, not local people; but people of Cape Town. They will treat all our stercus, garbage, and slop water.

11123. Was that for the use of Cape Town as well?—No, only Maitland.

11124. *Dr. Gregory.*] Is that Churchman & Co.?—No, Cunningham & Co

11125. *Chairman.*] In what position is that matter?—Have you done anything in regard to it?—No, we have not finally settled it, but the terms are very advantageous to the Council.

11126. Could you tell us what the terms were?—The syndicate agreed to remove all stercus and dispose of it at 7d. per bucket. At the present time, I think, the charge at Woodstock is 1s.; and we also charge 1s. The syndicate agreed to take away and dispose of our slop water for 1s. 3d. per cart load; and 2s. 3d. per load for house refuse. That includes collecting, carting away, and destroying it. Then, besides, they agreed to put up the destructor at their own cost; and if it is found to be a nuisance, the Council could stop it.

11127. Have you worked that out at all to see how it would compare with what you at present pay?—Oh yes, it would be very much cheaper.

11128. Do you take away slop water at the present time?—No. Of course, I must say that the new arrangement would cost us more money; but then we would be able to clean up the village much more efficiently than is done at the present time.

11129. What do people do with the slop water at the present time?—Well, the houses are so scattered that they simply throw it out on the premises; but of course that could not be allowed to go on.

11130. Are the sanitary removals compulsory?—No; we are at present drafting our Municipal regulations, and I think it is very likely that we will make it compulsory.

11131. Then from whom do you collect? From those who intimate their willingness to accept of your services?—Yes.

11132. The whole arrangement is just in its beginning?—Yes.

11133. *Dr. Gregory.*] Could you tell me what the level of the Maitland Village is above the sea?—The lower portion of the village is very little above the level of the sea, because the spring tide runs up right past the railway. The lower portion of Maitland would not be more than eight or nine feet above the sea level, and the fourth milestone would be about twenty feet above the sea level.

11134. And how far off is the sea as the crow flies, roughly speaking?—From the centre of the village? You see our boundary is the sea.

11135. Yes, but how far is that from the lowest level of your village?—Three-fourths of a mile.

11136. And how far from the fourth milestone?—Another three-fourths of a mile.

11137. In all about 1½ miles?—Yes.

11138. So that, practically, if you drain into the sea, you would only have about 20 feet fall in 1½ miles?—Yes.

11139. And not more than half that fall for three-fourths of a mile?—Yes.

11140. You say that the Woodstock Municipal Council approached you with the view of your joining in with their drainage scheme; now, did they give you any details of their scheme?—No.

11141. They did not tell you how they proposed to dispose of their sewage?—By taking it into the sea.

11142. Now, what extent of sea board have you?—2,400 yards.

11143. And that is bounded on the one side by Woodstock, and on the other by what is known as the "Milnerton Estate"?—Yes, a portion of Milnerton—nearly half—is within our Municipality.

11144. How much of that 2,400 yards of sea board belongs to the Milnerton estate?—It is all on the Milnerton estate.

11145. So that, the sea board is the property of the Milnerton Company?—You must understand that the right of the Milnerton Company does not run down to high water mark. They had a case in the Supreme Court, some time ago, and the Court decided that their property did not run down to high water mark.

11146. Then whose property is it?—It is Government property; there is a piece of Government ground between the Milnerton estate and high water mark. That is according to the decision of the Court.

11147. Now, at what part of the Bay do the Woodstock Council propose throwing in their sewage?—That I could not say.

11148. You have not enquired into that?—No.

11149. Is Salt River mouth in your area?—Salt River is our boundary.

11150. And whose area does Paarden Island come into?—That is in our area.

11151. So that if the Woodstock Council propose to throw their sewage into the Bay beyond Paarden Island, it would be done from your ground?—Yes.

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11152. Is the whole of Paarden Island within your area?—Yes.

11153. The question of the possibility of this sewage washing up on your foreshore has not been considered by your Board?—No.

11154. Is it contemplated bringing it under the consideration of your Council, now that it is a Municipality?—Well, it has not come up before the Council yet, in any shape or form, but, I daresay, if it were found to be a danger, it would very soon be considered.

11155. Don't you think that you ought to assure yourselves that it is not likely to be a danger?—Yes.

11156. Supposing that we establish a body dealing with the drainage and sewerage matters of the Peninsula, would your Council be prepared to join in the operations of such a Board?—I think so.

11157. Provided that Board could deal with your drainage and sewage?—Yes.

11158. In the best suitable way?—Yes.

11159. Would you be prepared for your inhabitants to be represented on that Board, and to bear your financial share in any liabilities which they may incur?—Oh, yes, if it were to be decided to be the best scheme.

11160. As a Council, would you be prepared to welcome the formation of such an authority?—Yes, I think it would be a great help to the Peninsula.

11161. The matter of dealing with the disposal of night soil and slop water is one which will very shortly become, if it has not already become, a matter of considerable importance?—Yes.

11162. I mean, in particular, with regard to your Council?—Yes.

11163. At the present time, the bulk of your drainage goes into the Salt River or Black River?—No, not much of it goes in, but lower down—below the main road—a good deal of it runs into the Vlei there, and is then carried away by the tide.

11164. Does none run in at the bridge?—Very little; only from two properties.

[From this stage *Mr. Hutt* answered most questions.]

11165. *Mr. Gurney.*] The cemeteries are outside the borders of the Municipality?—Yes, about half a mile away.

11166. And you are the Secretary of the Cemeteries?—No, superintendent.

11167. Where does the drainage of the cemeteries go to?—We commence at the seventh milestone, and we cross the railway midway between the fourth and fifth milestones. Then it takes a course, between some places, until it reaches the Black River, and gradually winds its way round by Mowbray: but I have never really followed its course.

11168. There have been complaints, have there not, that the drainage system is very unpleasant?—No, we have never had any complaint whatever.

11169. Have you had any complaints of unpleasant smells?—Yes, some extraordinary complaints have been made, that the bodies were not buried at a sufficient depth, but, as a matter of fact, these bad smells arise from things on the other side of the road, when the wind happens to be blowing that way.

11170. *Dr. Gregory.*] Bessell's deposits are made outside the limits of your Municipality?—Yes.

11171. The night-soil of Woodstock, and formerly largely from Cape Town and other places, are removed by Mr. Bessell?—Yes.

11172. Are you aware what process it is subjected to when it gets there?—A very simple process; there are about four trucks taken out daily, which are brought to the side of the place where the deposit takes place; they are then emptied there, and the material finds its way into the vlei. After that the receptacles are washed and put back on the trucks, which are then returned whence they came. But nothing is done further to the stercus itself.

11173. It simply lies there, and is allowed to dry?—Yes, in the dry season it is collected at times and disposed of to the farms and people about there for garden purposes. Since the plague, however, this has been stopped; but I have used a lot of it myself, with great advantage to my trees.

11174. It is simply allowed to dry and receive no special treatment?—Yes; nothing further is done to it after it has been deposited there.

11175. What is your opinion of the system, as a sanitary one?—It is a very poor one, indeed.

11176. Are you not of opinion that it should be stopped at once?—Yes, that has been my opinion for a long while, but the question is the remedy.

11177. It is really a disgrace to a civilised community?—Yes, and I happen to be the nearest householder. I am three-fourths of a mile away, but still the smell sometimes is very unpleasant.

11178. But, being outside your boundary and under the Divisional Council, no powers are at present possessed by anybody to deal effectively with it?—No, none whatever.

11179. So that although representations have for years past been made, from a number of quarters, nothing has been done in the way of amendment?—No.

11180. The complaints, made by persons visiting your cemetery, as to these most unpleasant smells and inconveniences from numerous flies there, are well founded?—Oh, yes.

11181. And it is quite a reasonable impression to have that they are due to the graves?—Yes, it has been the opinion of some.

11182. But it is a reasonable opinion, is it not?—Yes.

11183. *Chairman.*] Do you mean to say that this area, where the stercus is deposited, is under no control, except what the Divisional Council arranges to take?—Yes.

11184. Is that a piece of Government ground where the deposits take place?—It was originally, but I believe it has been granted to Messrs. Bessell & Co.

11185. What are they?—They are contractors, and do nothing else but remove stercus.

11186. But then we are told that every house in Cape Town has now drainage?—Nearly so; but as Cape Town slackened or almost discontinued using the tub system, Woodstock grew to such an extent that it has practically counterbalanced that decrease.

11187. Do these contractors contract for Woodstock as well?—Yes.

11188. Do they collect in the town of Woodstock?—Yes.

11189. And then they have this ground for dumping the stuff down upon?—Yes.

11190. And it is all one contract?—Yes.

11191. Do they pay for the use of this land?—No, the Government, I believe, made them a grant originally. As a matter of fact, I think, it is marked on the map as a "stercus ground."

11192. But it has been granted to these people?—Yes; and I believe nine or ten years ago they purchased the freehold from the Government. I believe they hold freehold rights over it now.

11193. Are the removals, from the other Municipalities, made to that place?—No, only Woodstock, and a small portion of Cape Town, if any from Cape Town now; but the majority is from Woodstock and Observatory.

11194. Stercus implies rubbish as well?—No, pure night soil.

11195. Is any refuse brought there also?—No, they deposit their refuse near the gas works, I think.

11196. These trucks, are they laden with tubs?—Yes.

11197. And these tubs are simply emptied over the side of the truck?—Yes, into a shoot.

11198. And then the stuff finds its own level?—Yes.

11199. And is it always emptied in the same place?—Yes.

11200. How long have these shoots been in use?—For a long time—about 15 years.

11201. And how many men are employed?—Just sufficient to empty the receptacles, about half-a-dozen.

11202. Where do these men live?—On the premises.

11203. Where do they get water to wash these utensils with?—From a well there.

11204. Would that be the same water that these people use for their own domestic purposes?—It is rather a query, but these men come up to our place, once or twice a week, and we give them drinking water; what water they use, however, for domestic purposes I cannot say.

11205. Are they coloured people?—Yes.

11206. You mean the whole half-a-dozen that manage this business?—Yes, but there is a white man in charge.

11207. Is there any control over these places at all?—None whatever.

11208. No inspector?—No. I may say, that the Cemetery Board would have taken action in the matter and compelled the nuisance to be stopped, but then, we have been looking year after year for a general drainage scheme, and considered in that case the nuisance would of itself die out.

11209. Is the soil, round about there, mainly sandy soil?—Yes, mainly sand.

11210. *Dr. Gregory.*] What has really happened is that, as Cape Town gradually completed its sewerage system and the sewerage of its houses, other houses have sprung up all through Woodstock and Observatory, so that the amount of night soil, being removed now, is very nearly as large as formerly?—The same number of trucks is being used. I think 15 years ago, which is as far back as my knowledge of the place goes, they had three trucks daily, and for the last five or six years they have had four trucks daily.

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11211. Do you know whether special precautions are taken with regard to tubs coming from houses where typhoid fever exists, that is to say, do they make any distinction in the tubs to your knowledge?—None whatever.

11212. You spoke of a white man in charge, but, I suppose, you would not like to give your opinion on the suitability of this man to look after sanitary work like that?—I should not; it is not every man's job, but still, he seems to enjoy the best of health.

11213. But he would not strike you as being a suitable person to control work of that kind? Under present arrangements he is very suitable for the work, but I don't think he would be capable of carrying out a scientific process.

11214. Are you aware that cases of typhoid fever have been traced to the use of stercus for manure?—I know that there was a case, which it was said arose from the use of such manure at Constantia, but I am not certain of it, as it is only hearsay.

11215. You have no knowledge of the fact that an outbreak of typhoid fever, which occurred at Noord Hoek, was traced by Dr. Turner, the late Medical Officer of Health for the Colony, to the use of this dried night soil?—I was not aware of that, but I know that the Constantia farmers use it largely for potato growing.

11216. It was largely used years ago at Tokai Reformatory?—Yes.

11217. And it was discontinued there, owing to the probability of it having spread typhoid fever?—I don't know the reason why it was discontinued.

11218. *Dr. Anderson.*] You have had no complaints as to the condition of the foreshore of the Bay?—No, we have had none. The foreshore, as far as Maitland is concerned, is used almost entirely by one class of inhabitants, namely, shell gatherers, and they are a class who would not trouble much about the state of the foreshore, from a sanitary point of view.

[From this stage *Mr. McGregor* answered most questions.]

11219. Do you know whether any refuse has been washed up there?—No, I don't think there has been any on our side of the mouth of the river. In any case, I have not seen or heard of any there.

11220. You have not detected any bad smell between Salt River Bridge and Montague Bridge?—Yes, I have smelt something there very strongly, between the railway bridge and Salt River Bridge, but I think it emanated from a drain that runs along the road from the station there. (*Mr. Hutt.*) With regard to the water supply, I should like to say that years ago the Liesbeek River was the natural supply to Maitland, that was before the advent of the Water Committee bringing their pipes down. The Liesbeek River was the supply for Maitland at that time, and then there was a continual stream of good water, but, as soon as the Suburban Water Company commenced pumping the water at their springs, it dried up in the summer time in the river, and so Maitland was done out of its natural supply to a certain extent. At the present time the water is only used for building puposes and for cattle, but it was looked upon as our natural water supply.

11221. *Chairman.*] With reference to this matter, you are aware that it was ordered by the Supreme Court that a run of 500,000 gallons of water per day should go down the river?—Yes; but there are riparian owners between the Albion Springs and Maitland, and these riparian owners carefully turned the water out into their veld to improve their grass, and so on all along the river, so that we are really worse off, and very little of that 500,000 gallons comes down our way, practically nothing in the summer time.

11222. Have you made any complaint in that direction?—Some years ago we complained to the Water Committee, and they told us that they were putting the 500,000 gallons into the river, but, as a matter of fact, I don't think they ever did.

11223. But you have your remedy?—Yes, but the remedy is very costly.

11224. But would it be so costly, seeing that you have got the judgment of the Supreme Court?—Yes, it would be very costly.

11225. Now, in the matter of streets and roads in Maitland. I suppose not much has been done up to the present time, as far as the construction of streets are concerned?—We have done a little.

11226. And with regard to main roads; there is a main road passing through Maitland?—Yes, two main roads.

11227. What roads are those?—The main road to the country and the Koeberg Road, which branches off in Maitland. The main road, which I have just named, runs straight through.

11228. The Divisional Council spend a good deal of money in Maitland, I presume, on these roads?—Yes, they keep the roads in a fairly good state of repair.

11229. What arrangements do the Divisional Council make in the collection of their rates, and in dividing them between your and their own purposes?—We asked them to assess the rate. We gave them the amount and then they assessed the rate, collected it and handed it over to us, less 10 per cent.

11230. And then, in addition to that, they levy a rate on your property for Divisional Council purposes?—Yes.

11231. According to the return I have here, they appear to have levied, in 1901, something like £445 from your area?—Yes. for Divisional Council purposes.

11232. And they appear to have spent some £1,300, so that you are £800 or £900 to the good, as far as your area is concerned?—Yes, that is on account of the length of the main road passing through our area.

11233. Have you anything to say with reference to the question of the Municipal Councils taking over the maintenance of main roads within their areas?—We are quite content to remain under the Divisional Council, but we are willing to take over the roads if the other Municipalities do so, on condition that a sum of money is set apart to enable us to keep up these roads.

11234. At the present time, you do not see your way to take over the maintenance of the main roads at the cost that they are to the Divisional Council?—No.

11235. Far less would you be willing to take them over and still make a contribution towards the upkeep of the outside roads?—Oh, we cannot do it.

11236. Have you considered the question with reference to the other Municipalities?—No.

11237. You were not invited to join in a certain Conference that took place?—Yes, Mr. Hutt represented us at the Conference.

[From this stage *Mr. Hutt* answered most questions.]

11238. Would you give us your views on that question, Mr. Hutt?—Well, as far as Maitland is concerned, I consider that we are differently situated to the others, for this reason: Our principal roads, through Maitland, are Divisional roads or main trunk roads. Now, of the percentage of traffic which passes over those roads, I think the great majority is country traffic, that is to say, produce arriving from the country and wagons going back. But now take the other Municipalities. The majority of their traffic again is purely local, and, whatever may be the opinion of the other Municipalities about looking after the portions of the divisional roads running through their areas, I am strongly of opinion, myself, that the Divisional Council, if it is going to exist in the future, should commence its operations from Salt River and then remain as at present. It must be a Divisional Council to look after the country roads, and, I think, the country roads should be considered to commence from Salt River, and therefore would embrace those roads running through our area. As I said, the majority of the traffic, within Maitland, is country traffic—the farmers bringing their produce into town, and also using the station, at Maitland, for their various goods.

11239 You are very much in the same position as Kalk Bay and Simonstown, which are small Municipalities?—Our interests are very different from those of Woodstock, Mowbray or Rondebosch.

11240. Have you found any inconvenience from the system of dual control within your area?—No, and I don't think we shall either. If it were decided that the Municipalities should take over these roads, we should be quite ready to take over ours, provided we received some outside help for their maintenance, because we have more than our fair share of main roads.

11241. Provided you were exempt from Divisional rates, at the present time, and received an equivalent contribution?—Quite so.

11242. You appear to have paid £450, in 1901, and you would pay very much more this year, as your valuation has gone up?—That would not make any difference, as the Divisional Council have their own valuation, which is not the same as our valuation. And they will assess their rate on their own valuation, and not on the Municipal valuation.

11243. Quite so, their valuation appears to be £340,000 on Maitland property?—Not for Maitland?

11244. Perhaps you could explain it to me from this return, which I have here for this year? Is there any portion of the Maitland Municipal area embraced or included within the Divisional Council area of Mowbray?—That I could not say. I don't know where their boundaries are; but, practically, I think there is little variation there.

11245. What did you say your Municipal valuation is?—Over £300,000. And the Divisional Council valuation last year was £127,000, but we assessed our rate, as a Village Management Board, on the Divisional Council valuation.

11246. Is that for your rate payable in 1901?—1901 and 1902. But the value of property, in Maitland, will be increased from year to year.

11247. And therefore, presently, you may be in a better position to take over the maintenance of these roads?—Yes, in fact, I am of opinion, that within six or seven years we would be able to take over the roads, that is say, that by that time our valuation will have reached a height which would enable us to meet the expenditure.

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11248. Can you tell us what length of main road passes through Maitland?—2¾ miles.

11249. That is the combined length of the two roads?—Yes. Then we have another divisional road running between the outspan of Maitland and Van Ryn's farm, and that is kept in repair up to our boundary.

11250. There is a bridge there also?—Yes.

11251. What is the condition of that bridge?—It is in a very bad state. As a matter of fact it has been condemned, and there is a notice board up warning traction engines not to go over it.

11252. Is that within the Municipal area?—Well, it is a question whether the centre of the river is our boundary or not, because that has not been sufficiently clearly defined. The Proclamation simply reads that we are bounded by the river.

11253. You don't take the responsibility for that bridge?—No; the Divisional Council does.

11254. *Dr. Gregory.*] Your Proclamation says, "Bounded by the river," now what area comes on the other side of the river?—Woodstock.

11255. Does Woodstock run right up to the bridge on the other side of the river?—Yes.

11256. Do you know whether any steps have been taken to get this bridge put right?—I believe the Divisional Council have been worrying the Government for some time, to have a new bridge there. I have heard that the plans have been prepared and that the Divisional Council were going to put walls down on either side of the river.

11257. But your local authority have no *locus standi* at all?—We have written to the Divisional Council calling their attention to it.

11258. Would you, as a Municipal Council, be favourable, in the event of a large local body being formed, to such a body taking over and dealing with your roads?—Do you mean main roads?

11259. Yes.—Yes, I think the Council would be favourable to that.

11260. And contributing a fair proportion for the upkeep of your roads?—What do you mean there by a proportion? We are not contributing, at present, to the upkeep of the whole of the roads, according to the Divisional Council figures.

11261. But you are contributing?—Yes.

11262. On the basis of your valuation?—Yes.

11263. And on a similar basis to that, would you be prepared to join in with a Board dealing with all the roads in the urban areas of the Peninsula?—I don't quite understand what you mean? Do you mean only main roads or do you include all roads?

11264. I include all roads and all streets?—I don't know how the Council would consider that.

11265. Would you be prepared only in regard to main roads, and do you feel sure of that?—Yes.

11266. But you have no remark to make upon the question as to whether all roads should be dealt with or not?—No.

[From this stage *Mr. McGregor* answered most questions.]

11267. *Chairman.*] In the matter of lighting. I suppose there is no public lighting in Maitland?—We have oil lamps.

11268. No electric light?—No.

11269. Have any representations been made to you by the Suburban Electric Lighting Company?—No.

11270. Or by the Gas Company?—No; we were in treaty, some two years back, with the Gas Company, but we found it would cost too much for us as a Board.

11271. And nothing has been done since?—No.

11272. Did they not offer to deliver the gas at a certain price, or did you approach the Company?—We approached the Company, and asked them whether they would be prepared to bring their main down to Maitland; their engineer went over the district, and submitted figures to the Board, but they could not go in for it.

11273. Your length of main would be that from the plant of the Company to Maitland?—From where their main is at present laid it would be about half a mile, or three-quarters of a mile, to bring it into our community, that is, from the old Toll Bar.

11274. I suppose the same difficulty occurred with the gas as with the water, that is to say, that the houses are so scattered that it would be too costly a matter to distribute the gas to them?—They would be able to distribute it all along the main road. (*Mr. Hutt.*) Unfortunately, when the Gas Company made their last contract with Woodstock, and, when their engineer was taken over to inspect the boundaries, an

error was made by the Committee. They went around with him, and they pointed out the old Toll House as the boundary. Between that and the river there is a distance of quite half a mile, which the Gas Company repudiate now, as a responsibility of theirs under their agreement with the Woodstock Council, If that had been clearly understood, that they were liable to lay the main, through that portion, then of course it would at once have made the distance to Maitland very much shorter. As soon as it reaches Maitland, we should at once give fifteen or sixteen public lamps, and then, of course, there would be tho private people taking it.

11275. Would it not be as well to apply to this Company again?—The matter has already been discussed, and it is under the consideration of the Woodstock Council at the present time.

11276. Have you any wash-houses in Maitland?—No, we have no public wash-houses.

11277. And no other public works of any kind?—No.

11278. *Dr. Gregory.*] It appears that there is a large amount of washing done in the Black River, or Salt River, whatever you might like to call it, not only by local washer-women, but also by washer-women coming from other districts, such as Cape Town and Woodstock?—Yes.

11279. The amount of washing that goes on is really very considerable?—Yes.

11280. And the water that is used for the washing, except when flood water is coming down, is of the most polluted kind?—Yes, the water is very bad.

11281. In the dry season they are virtually washing in filthy pools and washing in this water which is doing duty for weeks?—I don't know that it is so for weeks, but it is doing duty for more than once.

11282. Quite apart from that, the water remains in the pools for some time, and washing goes on each day?—I don't know that.

11283. It is a common thing for pigs to wallow in this water, with the washing going on at the same time?—No pigs are allowed to stray down that way now.

11284. You will believe me, if I say that I have seen pigs wallowing in this water, and washing going on at the same time?—Oh yes, certainly. I may say, we have tried to stop this washing. We have taken these people to the Police Court. That is some years ago, but we were unable to get a conviction, the Magistrate holding that a wash-place ought to be provided for these people, and he therefore refused to convict them. A portion of the river has been set apart, on the south side of the bridge, for these washer-women.

11285. That is between the Railway Bridge and the Divisional Council Bridge?—No, between the Railway Bridge and the Divisional Council property, further up the river. It is called Varschdrift.

11286. But washing goes on all along there, below and above the Divisional Council Bridge and above the Railway Bridge?—Yes.

11287. In fact, there are hundreds of these women at times?—Yes.

11288. And, as you have before stated, I think, the water is largely derived from what comes down the Liesbeek River, and it is already considerably polluted before it reaches the place where the washing is done?—Yes.

11289. So that, altogether, a most improper and dangerous state of things is being allowed to go on?—Yes.

11290. Has your Council ever considered the question of putting up wash-houses?—It has been discussed, but you must understand that this Council has only been in office for about three months, and the duties that it has undertaken are simply in connection with the valuation roll, the voters' roll, and the regulations. It will be the duty, and the first duty of the new Council, to go into these new works. At present, we have not the means to incur this kind of expenditure, but, there is no doubt that it will be the duty of the new Council to provide public wash-houses.

11291. But you, as a member of that old Board, are well acquainted with all the circumstances?—Yes.

11292. You said just now that this washing was carried on by washer-women not belonging to or living in your Municipality?—A considerable proportion of them comes from Woodstock.

11293. Then, presuming that you established wash-houses, they would be for the use of washer-women coming from other districts?—No, we would establish only for our own people, and then we would stop the others.

11294. Then, you would not propose to put up a wash-house of sufficient size to accommodate all the washer-women that there are now?—No.

11295. The idea would be more to stop washing being done in the river, than to provide accommodation for their doing so at present?—Yes.

11296. Where then would these people wash, if they were not able to do their washing in the river, and you have no wash-houses for them?—That is a question that I could not answer.

11297. It is a question that you leave to the other local authorities concerned?—Yes.

11298. *Chairman.*] Did you not say that there is a place marked out on the plan for these washerwomen?—That is on the Woodstock side of the river.

11299. *Dr. Gregory.*] That place was really set aside, long years ago, when the danger of washing in that river was not so great as it is now?—Yes, and then there was more water in the river at that time than there is now.

11300. Does it not occur to you, that the matter of providing proper washing accommodation is really a question which belongs, not to one local authority but one which should be dealt with in a comprehensive manner by the combined authorities for all these areas?—No, I don't think so. I am of opinion that each local authority ought to be able to provide wash-houses for the people living within its area.

11301. But it is clear, is it not, that, at the present moment, women are coming from Cape Town to wash there, although there are wash-houses in Cape Town?—Yes.

11302. And therefore, it seems to be a matter which really should be considered by the combined authorities, does it not?—No. If each local authority made certain regulations forcing these people to wash in one wash-house, provided for them in each Municipality, then I don't think it would be necessary to have a big scheme for it.

11303. I don't say a big scheme; I say a combined scheme. But let me put it in another way: It is not really much use your dealing with the matter, unless the neighbouring authorities deal with the matter too?—That is so.

11304. Therefore it is a matter for combined action?—Yes.

11305. Now, you have a certain number of slaughter houses in your district, have you not?—Yes.

11306. How many?—Two.

11307. And the slaughtering, that goes on in these slaughter houses, is for meat, which, as a matter of fact, is all sold outside your local area, is it not?—Yes, a good deal of it.

11308. What supervision have you over these slaughter houses?—We have our sanitary inspector, who visits these slaughter houses daily.

11309. Are these private slaughter houses or Municipal slaughter houses?—Private slaughter houses.

11310. What steps are taken to inspect the meat, as it is slaughtered, and the cattle before they are slaughtered, in order to see that there is no unsound meat put on the market?—There are no steps taken.

11311. Don't you think some steps should be taken?—Yes, I think it is necessary that some steps should be taken.

11312. You are quite of opinion that it is not a matter that should be left to the proprietors of slaughter houses themselves?—Certainly.

11313. Do you not think that there should be a large Municipal abattoir?—Yes.

11314. Properly constructed and properly conducted, for the slaughtering of all the meat required in the Peninsula?—Yes, that has been my opinion for a long time.

11315. And that, if such were constructed, it really ought to be a source of revenue, and, at the same time, it would be an economy to the butchers using it?—Yes, I think it would be welcomed by the butchers.

11316. You, yourself, are connected with the meat business, are you not?—No.

11317. But your family is?—Yes.

11318. And therefore you have had considerable experience in that direction?—Yes.

11319. And, being a person, whose interest is more or less in it, considerable weight could be given to your opinion?—I have personally no interest beyond my family being connected with the trade, but I know a good deal about it, and I am sure that the butchers would welcome a public abattoir.

11320. So long as small separate slaughter-houses exist, it becomes a matter of great difficulty to control the quality of the meat slaughtered and put on the market, does it not?—Yes.

11321. If you had one, or, at most two large slaughter-houses, it would be both economical and efficient; at any rate, more so than at present?—Oh yes, decidedly.

11322. But, as this really affects the meat supply of all the suburban areas, it is a question that should be dealt with by them in a combined manner?—Yes, I think a public abattoir ought to be taken up by Government; and Government should appoint a sanitary officer to see after the meat.

11323. So far, it should be taken up by some combined authority which could deal with all the areas at once?—Yes.

11324. And, until some such combined authority undertakes the matter, it is not likely to experience much improvement?—No.

11325. In your opinion, would not that be a matter which any large combined authority should have handed over to it as soon as possible ?—Yes.

11326. Together with water, sewage, and other schemes ?—Yes.

11327. And, if that were done, the Council of Maitland would be prepared, subject to adequate representation, to contribute its quota to the expenditure ?—Yes, but I think it would be a source of revenue, and that there would be no expense attached to it.

11328. I mean a quota of liability, we would say ?—Yes.

11329. *Chairman.*] Would all the butchers be killing at Maitland for the whole Peninsula ?—Oh, yes.

11330. Is the bulk of it done there now ?—A lot of it is done there now.

11331. Most of the Cape Town killing ?—Yes, but, of course, there is not so much killing done at present as in past years, as people use Australian meat now, to a great extent, so that less killing is done at the present time.

11332. Do you mean to say that the importation of frozen meat has diminished the amount of killing being done at Maitland ?—Yes.

11333. Is the killing for Rondebosch, Mowbray, Woodstock and Claremont all done at Maitland ?—No, only the killing for Cape Town.

11334. *Dr. Gregory.*] And Woodstock ?—Yes.

11335. *Chairman.*] Every butcher has got his own place ?—Yes, but two or three butchers slaughter in one place. A good deal of the killing is done outside Maitland, that is to say, outside our boundary, as I pointed out before.

11336. In premises owned by the butchers themselves ?—Yes.

11337. And also on land hired from other owners ? Or are all the butchers the owners of the property ?—No, some of it is hired ground.

11338. And what is done with all the offal ?—They bury it on the place.

11339. Is that carefully done ?—With regard to the offal inside the Municipality, it is not buried on the spot, but taken away and buried ; but outside the Municipality it is simply buried round about the places.

11340. Are there any Municipal slaughter-houses in Maitland at all ?—There are no Municipal slaughter-houses.

11341. Do the people that work in them live in that neighbourhood ?—Yes.

11342. On the premises ?—No, not on the premises.

11343. And the offal from there, is that buried within the Municipal boundaries ? —Oh, yes.

11344. But you have no supervision over that ?—Oh, yes, the inspector sees that it is done.

11345. *Dr. Gregory.*] Speaking quite generally, so as not to indicate any one particular individual, in your opinion, the slaughter-houses are very unsuitable and badly conducted ?—Yes, they cause a lot of trouble to the Municipality, and, I think, those that are in the village will not be there very long.

11346. That is to say, you will try and get them beyond your border, but, even then, they will remain a danger to public health just the same ?—Yes.

11347. Owing to their being generally small affairs, and there being no united action, it is, practically, impossible to have decent slaughter-houses under present arrangements ?—I don't quite follow you.

11348. Owing to every man having his own little slaughter-house, it is, practically, a very difficult matter to ensure proper slaughter-houses and proper means of disposing of the offal ?—Yes, but then that does not affect the two slaughter-houses within the Municipality, because they are two rather big places.

11349. But still you would not call these properly-constructed slaughter houses on modern lines ?—No.

11350. But the expense is greater than one body could undertake, to have properly constructed slaughter houses ?—Yes.

11351. These slaughter houses, as a matter of fact, bury the offal within a few yards of the well, where they get the water to wash the meat with ?—Yes, I have been informed that is the case.

11352. *Chairman.*] Is there nothing you want to say about Maitland, with reference to alterations in its boundaries ?—Just what I have pointed out before, that we ought to include a portion of Rentzkie's farm, and also that portion between the Location and our boundary. That would be both in the interest of the Village and the Location, that we should include that portion.

11353. That is not within the area designated as " Maitland Municipality " in the proclamation ?—No. (*Mr Hutt.*) I think I would go further and suggest that the boundary on the Koeberg Road should extend as far as Thompson's place, or even further on, so as to prevent shanties being put up, because I think the same thing would occur with properties on the other side, inasmuch as they would be sold in building lots.

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[From this stage *Mr. Hutt* answered most of the questions.]

11354. That is, property in the hands of private people, now?—Yes.

11355. Is that being subdivided at the present time?—Oh yes, very much so. In fact, as regards the registration of births and deaths, it is a very difficult matter, because people there are now under no control, and they have to go to the nearest Field-cornet or to Maitland to register these events. There is a rising population, which is under no control whatever, and, I maintain, that they should be taken in, together with a sufficient area beyond that, in order to prevent a recurrence of objectionable buildings being put up, and so on.

11356. Does that lie more to the east?—No, to the north-east.

11357. Would it be better to incorporate that part with Maitland, than to form a new Municipality, or a Village Management Board area?—I should say, incorporate it with Maitland by all means.

11358. Is it your opinion that the urban character of that area will extend in the near future?—Yes, there is no doubt about it.

11359. And urban arrangements must follow up?—Yes.

11360. *Dr. Gregory.*] Part of the Milnerton estate is within your boundary and the other part beyond it?—Yes.

11361. And, if the Milnerton estate is going to become the populated area which we are promised it is to become, in the future, what suggestions have you to make in regard to sanitary and Municipal control for it?—Well, it is a question that might arise in the immediate future, or it may be in the very far distant future. From the evidence given before the Commission, it appeared, that the Milnerton people were making their own arrangements; they are going to have their own electric light, and their own staff of officers; and, I must say, we would have no objection to their taking that portion away from us.

11362. Provided that proper arrangements were proposed?—Yes.

11363. Have any building portions been sold yet?—I believe not.

11364. It has not been cut up yet?—It has been cut up, but not sold yet.

11365. That is a matter for the future?—Yes, it is a matter for the future. Of course, we have not had much experience of large land schemes in this country, and it may be a success or it may not.

11366. At the present time, a great portion of it is under water?—They have plenty of high ground though.

11367. Has the Milnerton Railway been completed?—As far as Janbiesjeskraal, but they are going further than that, I believe.

11368. Are they running on the railway yet?—No

11369. *Chairman.*] Where would that area get its domestic supply of water from?—I think they have their own scheme. I believe they are going to bring their water, or they are contemplating to do so, from some property in the Koeberg district.

11370. And also for their drainage, are they going to have another scheme?—Yes.

[From this stage *Mr. McGregor* answered most questions.]

11371. Now, on the question of amalgamation, do you think it would be advisable to incorporate Maitland Municipality with any of the other Municipalities, or would it be an advantage to any of the other Municipalities to be incorporated with Maitland?—No, I think we are distinct from the other Municipalities, and therefore I don't think it would be of advantage to Maitland to amalgamate with the other Municipalities, or for any of the others to amalgamate with Maitland.

11372. But would it be to your advantage to amalgamate with places like Woodstock or Cape Town?—We are too far away.

11373. But you are not too far away for the slaughtering of stock, or for the people to wash their clothes, or for the burial of their dead. They do all these things in the neighbourhood of Maitland, and from the evidence given to-day, does it not seem, generally speaking, that Maitland is being made use of by other Municipalities to the inconvenience of the people living there?—Yes, but I don't think it would be any better for us to amalgamate, because then they would have more power to do these things.

11374. Well, the one hope seems to be to get a better order of things, and amalgamation would make these other places share the cost of the improvement? At the present time, they dump down their undesirable people there, they are burying their dead there, they are washing their clothes there, they quarantine their contacts there, they are burying their offal and depositing their refuse there, with the result that you are saddled with all the nastiness, and are now supposed to bear the expenses of dealing with it quite alone?—That is true, but I don't think it would help us to amalgamate with any of them.

11375. But, if we had a stronger local authority or a greater Municipality to provide proper sanitary arrangements, then Maitland would not suffer in these respects?—No.

11376. Are you content to sit still then, and put up with all these nuisances?—Oh, no; as soon as we find our legs, we will try and remove the nuisances.

11377. You look upon yourselves as the nuisance-receiving Municipality?—Yes.

11378. And you are content to go on?—I say, as soon as we find our feet, we will let the other Municipalities know.

11379. You are keeping a rod in pickle for them?—Yes, we have already protested against being the dumping ground of Woodstock.

11380. *Dr. Gregory.*] Would you not be in a much stronger and better position, if you formed a portion of one large authority, provided you had adequate representation thereon and proper safeguards that your local interests would not be neglected?—I don't think, personally, that it would help us very much. (*Mr. Hutt.*) I don't think it would help us at all, because we are quite differently situated to all the other Municipalities. If we had been Mowbray, Woodstock or Rondebosch, then I would say, most decidedly, let us join together, but as far as Maitland is concerned, it would be better for us to work ourselves up, as it would only mean a matter of a few years.

[From this stage *Mr. Hutt* answered most questions.]

11381. You are really the neck of the bottle of the Peninsula?—Yes.

11382. And, as such, is it not to the interest, and for the welfare of the rest of the urban areas of the Peninsula, that you should be combined with them?—No, I don't think our geographical position tends that way. It is rather in the opposite direction.

11383. What constitutes your special geographical position?—Take the Liesbeek River as the line from Cape Town to Wynberg, we lie quite away from the others. If you take the drainage scheme we shall merely fall into that at the outlet of the stream, at the most.

11384. But you come over and abut on Woodstock and Mowbray?—Not as regards buildings, but there is certainly a long stretch of ground between Mowbray and Maitland, which I don't think will ever be utilised for building purposes, however, because it has no safe bottom; the spring tides affect that part.

11385. The Railway Department is gradually spreading over there?—On the higher ground, but do you mean the Salt River Works?

11386. Yes.—Yes, well, by reclamation.

11387. Then, what the Railway Department is doing would probably be done by other industrial concerns before long?—It may be if they have the same facilities as the Railway Department. The Railway Department have the stuff, which they must remove from elsewhere, with which they can reclaim the ground, but whether another Corporation could do it is another question.

11388. But now you get in contact by means of houses with Woodstock and Mowbray, do you not, when you get over the line to Maitland Eviction Camp? There are houses there?—Yes, a few, but then the Royal Observatory falls in there.

11389. Then your only reason for saying that you could not join is that the Liesbeek River is your boundary?—No.

11390. That is your geographical reason?—No, our interests are not so wrapped up with the other Municipalities; we lie, so to speak, by ourselves, and our requirements would be better recognised by ourselves than by any large Board; and even if we were represented on such a Board we would denote a very small unit indeed.

11391. In your evidence, we have agreed that sewerage, drainage, water supply, slaughter-houses, and a number of things like that, should come under a General Board. Why should you object to other things coming under it? If it is possible in these, why not possible in other matters?—I am afraid it will be a very expensive matter. I suppose you mean something like the Board of Works in London. To carry out small things, that has proved a very expensive body. When a large body deals with small Parish affairs I think it will, as a rule, be a very expensive matter, especially matters which, locally, we could do far more efficiently and cheaper ourselves.

11392. Then your contention is that you have no objection to join with the large body in large matters, provided you have control over the smaller matters?—Yes.

11393. *Dr. Anderson.*] Your objection to dealing with a Board is that you are afraid that you might have in these sort of works things done which will cause a nuisance, and that then you would not have the same voice of protesting against them which you would have as a separate Municipality?—Yes.

11394. Don't you think you would be protected against that if such a body were not allowed to spend money without public enquiry and without the sanction of the

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Government ?—I am afraid we shall be in the position of the small boy of a large family, and we know that the small boy suffers as a rule.

11395. I am only suggesting something that they have in England in the form of the Local Board of Inquiry ?—I don't like the idea.

11396. Then again you are afraid that a large body might not be able to attend, effectively, to the small matters ?—Yes.

11397. Do you think that it is the experience of Municipalities like Glasgow and Birmingham ?—If we were to carry out things on the same lines as they are carried out in large places like Glasgow and Birmingham ; but, I take it, that these Municipalities, as a rule, deal with all these smaller matters, and not with the larger questions.

11398. No, they attend to all matters including streets, nuisances, and so on ?—At Birmingham ?

11399. Yes.—Well, I don't like the idea.

[From this stage *Mr. McGregor* answered the questions.]

11400. *Chairman.*] I understood you said already that you don't believe in the abolition of the Divisional Council, as it is necessary to have some body in the shape of the Divisional Council ?—Yes, I think it is highly necessary outside the Municipalities.

11401. *Mr. Gurney.*] You have at least one energetic member of the Civil Service as a rateyayer in Maitland ?—Yes.

11402. Now, would it be an advantage, particularly in such a Municipality as yours, if you were able to elect a Civil Servant on the Council ?—Yes, it would certainly be an advautage to Maitland.

11403. At present a Civil Servant may not serve on Municipalities, but if he were exempted from the office of Mayor, you would be strongly in favour of having him on the Council ?—We should not exempt him from the office of Mayor either.

TUESDAY, 10TH JUNE, 1902.

Present :

Hon. Sir BISSET BERRY (*Chairman*).

Dr. A. J. ANDERSON.
Dr. A. J. GREGORY.
Mr. W. E. GURNEY.

Thomas Ball, C.M.G., examined.

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11404. *Chairman.*] You are a member of the Cape Town Council and Chairman of the Electric and Waterworks and Fire Brigade Committee, and you were at one time Mayor of Cape Town ?—Yes.

11405. You are also President of the Associated Mayoral Congress of South Africa ?—Yes.

11406. Have you been long a member of the Cape Town Council ?—This is my sixth year of office.

11407. And you have been resident in Cape Town for a very much longer time, I presume ?—Oh yes, for 42 years.

11408. I presume you are pretty well acquainted with the objects of this Commission. They are rather wide, but you have some idea, no doubt ?—Yes.

11409. The Cape Town Corporation works under a special Act, I believe ?—Yes, we are under a special Act. The last Act is dated 1893.

11410. There was a Bill introduced into the House of Parliament, I think, some little time ago, proposing in some respects to amend the constitution of the Corporation ?—Yes, but it was withdrawn.

11411. If I remember rightly, the principal feature of the Bill was a proposal to introduce Aldermen into the Council ?—To increase the number of the Couucil by the election of six new members. Practically it would be the matter of Aldermen, the object being to retain as far as possible men who have had a considerable amount of experience in Municipal work. These Aldermen were to be elected for a period of 6 years instead of 3 years.

11412. Can you say whether a considerable proportion of Town Councillors remain on the Board for a longer period than that for which they were first elected?—I believe we have three who were on the Board when I was elected six years ago. The personnel otherwise has been entirely changed by the two elections since I came on the Council. It is practically a new Board since 1896, all the old Councillors, with the exception of three or four, having gone.

11413. *Dr. Gregory.*] Who are the three still remaining?—Messrs. O'Reilly, McKenzie, and Robertson. Mr. Thorne was on for a period, but he lost his seat about that time and was only recently re-elected—in 1901.

11414. *Chairman.*] That would seem to shew that the change in the personnel of the Council is somewhat rapid?—Yes.

11415. Would that be obviated in any great degree by giving the Council power to choose certain of its number as Aldermen?—Yes, I think so. Men do not care after a period of probably three or six years on the Council to go before the public and to solicit re-election.

11416. It is not that they are tired of looking after the Municipal affairs, but that they do not care to submit themselves to popular election again?—No, they do not tire of the work. They do not mind being elected once or twice, but object to having to pass through it every three years. They would rather drop out. That seems to be the feeling that I have observed, and I think that if you had six men elected in the manner I have mentioned by the Council for a period of six years, there would be greater continuity of policy. There would then be a chance of the new members becoming acquainted with the policy which the Council had adopted, because there would be somebody there to explain that policy. You can quite understand that three men with a long knowledge of the Council's work and policy are not sufficient to acquaint the whole of the Council therewith. In fact no three men could know the whole policy of the Council, because a Councillor only serves on one, or say two, Committees, and that does not qualify him to speak upon the whole policy of the Council. The usual procedure is for the chairman of each Committee to take upon himself the explanation of the acts of the Committee.

11417. Is it your belief that the work of the Council has suffered from this rapid change in its personnel?—That is my clear conviction.

11418. Can you give us any instances?—Well, in the case of the regulations and also with regard to the carrying out of road construction. On several occasions we have had men who have entirely changed the policy previously followed by the Council, because they have not understood the motives which guided the Council.

11419. But the great matters in which the Council is concerned, such as water, lighting, street construction and general works, how are those affected by this change of personnel?—On the question of water the policy of the Council has actually been settled for a good many years, and it is now simply a matter of carrying on. Reservoirs have been determined upon, but there are many things outside that requiring careful attention, and members are not always thoroughly acquainted with them.

11420. I believe you have nothing to do with the question of police in Cape Town at the present time?—No, not this year. Personally, I think the Council altogether too small for the work which devolves upon it. Apart from the question of electing Aldermen, I consider the Council numerically inadequate to cope with the work which it is called upon to perform in the interests of the public.

11421. You are in favour of increasing the number of Councillors?—Yes; you must always allow for a certain number of absentees in your Council, and also for the fact that business men cannot pretend to devote too much of their time to Municipal work. They may serve upon one Committee, but if you put them on two, or more, they must neglect the town's work in the interests of their own businesses. As it is now, the work before a Committee very often occupies a sitting of three hours, and sometimes is not finished then, very frequently a good portion of the business having to be postponed for a further meeting.

11422. Excluding the matter of Aldermen, to what extent would you be favourable to increasing the number of Councillors?—I think we ought to have at least 24 Councillors, and I would be quite in favour of making our number, with the Aldermen, 30. But I would not press that if the Aldermen were added to the Council. It would give the Council a backbone, because these Aldermen would be elected by the Council with the idea of getting men who could devote a considerable time to the interests of the Council, men who would have the time to devote to the town's business and who would be always there to guide and help forward business.

11423. When was Cape Town first created a Municipality?—It is a long way back. I think in 1840 or 1842.

11424. It was done under a Special Ordinance, I presume, and the boundaries have remained pretty much the same, have they not?—Yes, but our boundaries

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formerly included Sea Point. The Council in the earlier days, however, did not care to accept the responsibility of so large an area as the inclusion of Sea Point entailed, and consequently the two areas were parted, which was of course a very serious mistake.

11425. At one time the Municipality was divided into Wards, was it not?—I believe it was.

11426. It is now divided into six Districts?—Yes.

11427. What is the difference between the old condition of Wards and the present condition of Districts?—The Ward elected its own particular member. But now each district does not have its own special representatives; all the voters in all the districts vote for the whole Council. Previously in the Ward system they simply elected their own candidate for that Ward and there was only voting in that one Ward. Now, if we were electing a member we should have voting in all the districts, or rather all the voters in all the districts would come to a central polling place to record their votes.

11428. What was the reason for the change?—I do not know that I am in a position to give the actual reasons, but roughly, I believe the change may be put down to the fact that there was at that time very little interest taken in the Council's work. Members were returned by a very small number of voters. For instance, I believe a member was elected on a total of only 17 votes. There was practically no interest taken in the work of the Council, and it was considered that the Ward system was not a satisfactory one. Whether this change had anything at all to do with the carrying out of great schemes for the advancement of the town generally I am not in a position to say. All I can say is that so far as the Ward system is concerned, in other parts of the country it is not an unqualified success. Take Port Elizabeth for instance. When I was up there a short time ago I questioned several members of the Council with regard to their want of water and drainage, and they told me that they were unable to get those things because they had a Ward system. They pointed out that we, in Cape Town, had a much greater advantage over them because the Ward members devoted themselves entirely to the local requirements of the district for which they were elected, and the result was that they could not carry out their large schemes. I might read you a quotation from the Minute of the Mayor of Pietermaritzburg bearing on the same subject:—

> "A large and influentially-signed petition was recently presented to Council in favour of the abolition of the Ward System for the election of Town Councillors, as at present in force, and the substitution in its place of a system of election of Councillors for the whole of the Borough. The prayer of the petition found favour with a portion of the members of the Council, and action has been taken with a view to introducing an optional clause into the Bill for the consolidation of Municipal Laws, so that this system may be made applicable to any borough should the Town Council thereof at any time so decide."

I know there is a strong feeling in favour of the Ward system, and I would certainly advocate, in any new Bill which we had to bring in, an optional clause for the introduction of the Ward system, if it was generally thought desirable. I would make the clause so that if the city felt that it was wise to revert to the old position, it should have the power to do so. I would not, however, make it a hard and fast law like the present system, but would leave it to the ratepayers to decide. I do not think that it would be of any great benefit to us in our present condition—I mean considering our size. The town is not large enough for Wards.

11429. Is it not the case that in towns even smaller than Pietermaritzburg the Ward system is in existence?—I believe so, but I cannot speak from personal knowledge.

11430. You think that a permissive clause might be introduced into any new Bill, so that a plebiscite of the people of Cape Town might be taken on the question of the introduction or otherwise of the Ward system?—That is the position I would take up.

11431. Do you think that you would get at the feeling of the people in that way?—I would take the vote of the majority, the majority of those going to the poll, and let that be the decision.

11432. Would you take that vote in the same manner as votes are taken at present, allowing plural voting?—Exactly on the same lines as votes would now be taken for a loan.

11433. Would not that rather defeat the object?—I do not see it.

11434. The poorer districts would have very great difficulty in getting their voice heard in the matter?—Not if you make the poll to be taken at a reasonable time. The great outcry is that we close our poll too early in the poorer districts. That is the excuse for so few voting. I don't attach much importance to that excuse, but I would like the Act to enable the Council to keep the poll open until 8 o'clock in the evening, so as to give the people every opportunity of voting. As it is now, our district is not a

large one, the area from the centre in any direction is not much more than 1½ miles, so that it is not very far to go if the working people really desired to record their vote.

11435. You are better acquainted with the inhabitants of the various districts than I, but, say in District No. 6, would there be a large proportion there of voters who would not have the plural vote, that is of voters who would be under the £500 qualification?—I think there would, but if they voted, the strength of their single votes would overpower all the cumulative votes together.

11436. You mean more than all the voters in the other five Wards?—Yes.

11437. What! More single voters in District No. 6?—I would put it in this way, that the single voters can carry anything they wish, the cumulative voting principle does not in any way hamper them if they choose to go to the poll to record their votes. It is the want of interest not the want of power. They have the power if they had the interest to exercise it.

11438. You think there may be a disability under the present law of closing the poll at an early hour?—That is the complaint that is made as to why they don't record their votes. They say that it means that they must leave their work and lose their wages for a quarter of a day, or an hour. According to the Act we have no power to extend the time during which the poll must be taken. The Council would like to extend the time but they have not the power. They must abide by the Act.

11439. Then you would let this be decided by a referendum as the law at present provides?—Yes.

11440. In the event of the Ward system being carried, what number of Wards would you suggest for Cape Town?—I would simply take them as the Districts are at present divided. I do not think that we could divide them better.

11441. Supposing it was found advisable hereafter to amalgamate any other Municipality to Cape Town, would you alter your Ward system?—I do not think so.

11442. You would carve out new Wards out of your new area?—Yes, there would be no reason why you should not have Wards. For instance, you might have two or three Wards for Sea Point if it was added. It depends entirely upon the form of amalgamation.

11443. Are you aware of the date when this representation by Ward system was abolished?—No. That reminds me that I have to correct a statement. Mr. Charles Lewis, I believe, was the author of the Ward system being abolished. He was a member of the Council in the old days, and he has recently been re-elected after many years absence. He was the one, I believe, who moved for the abolition of the Ward system, though he is strongly in favour of it again at the present day. He knows more about the matter than I do, but I remember him telling us recently that he was the author of the alteration.

11444. Have you any statistics on the point on which we have just been speaking, that is the number of voters that have only one vote and the number that have more?—I have not got statistics with me, but I had them prepared some time ago, and that is why I speak with such confidence. During the consideration of the floating of the loan some time ago, when I was Mayor, the question was raised, and I went into it very closely as to what was the number of single voters as opposed to the number of cumulative voters, and I found that there was a very large number of single votes in excess of the cumulative votes.

11445. Could we get those figures?—Yes, I think so.

11446. Do you think they could easily be brought up to date?—Yes, I think so. I believe there would be no difficulty.

11447. What facilities do you offer for the registration of voters in Cape Town?—We, of course, employ our Department to make a personal visitation of every house and get the name and qualification of every resident. We then advertise and, when the list is made up, it is open for inspection for several days. A notice is given in the press to that effect, so that any person can examine the list and, if they are not on the list, they can make application, and the matter comes before the Council and, if their qualification is in order, they are added to the list. Even after the date, should any person apply for their name to be added to the list of voters, it is done. It is only a question of qualification. Every facility is offered to persons to be placed on the register. It is only their own want of interest that prevents them being made voters.

11448. And as to this registration for single or plural vote?—It depends upon the rental or valuation. If a tenant occupies a house which is over £500 in value, he gets the same voting power as the landlord. Whatever the landlord's power is, so is the tenant's.

11449. Is there any tendency for people to have their property valued highly in order to get this double vote?—I do not think so. I have never heard of such a thing. They have other objects when they want high valuations, not voting power.

11450. It is very rarely, then, that a man asks for his property to be valued at over £500 in order to get the double vote?—I have never heard of such a thing.

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11451. Can you tell us the number of people who are voters in Cape Town only by right of occupation as against those by right of ownership?—I cannot from memory.

11452. Could it be obtained?—The number of ratepayers could be easily ascertained, but I do not know whether they are so defined in our books as to distinguish the tenant from the owner. I cannot speak positively on that point. It might be that the landlord might have a number of properties on which he pays the rates, and it then would be difficult to say how many he himself occupies.

11453. *Dr. Gregory.*] Does the landlord in such a case get the cumulative vote on all the properties lumped together?—No, only on one property. He has only three votes at the most, no matter how much property he has. If he got the whole of his property put into one he would only get the same number of votes. He does not vote as an occupier if he votes as a ratepayer.

11454. *Chairman.*] Have you any note of the number of tenements or properties in Cape Town?—Between 8,000 and 9,000, I believe, but I do not think we have more than that. I have tried to get at the real figures, but it is very difficult.

11455. What is the number of voters?—About 8,000, I think.

11456. So that there are nearly the same number of voters as there are properties?—Yes, it would appear so. I do not know what will be the number of voters when the new registration is completed.

11457. Can statistics be obtained of the number of properties in Cape Town as well as the number of voters. I mean exact statistics?—I think they ought to be. I believe they can, but I would not like to say the exact number of tenements there are. I have tried in several ways to get at an accurate estimate both by means of the numbers of water leadings and of drainage connections, but neither affords a really accurate estimate. There may be one water leading to two or more properties. In the old times this was allowed, although we are now endeavouring to stop that as much as possible and make each tenement have its own water leading, though, even now, in houses of under £2 rental we allow them to have one water leading for two or three such houses. The same thing applies to the drainage connections. We have over 8,000 drainage connections, but that does not give the actual number of houses, because one connection to the main drain may mean several properties. It has been calculated that we have 10,000 properties, but I do not quite go so far, and would prefer to put it down at nearer 9,000.

11458. *Dr. Gregory.*] Where property is let in tenements, do the different tenants get a vote each?—Yes, there are tenant's votes and landlord's votes. If you get a large property divided into offices, every person who occupies an office of a certain value gets his vote, though, as I said before, a man only has one vote whether he votes for his office or for his house.

11459. *Chairman.*] How many Committees have you in the Town Council?—There are six: The Public Works and Improvements Committee, the Markets, Gardens and Tree Planting Committee, the Streets and Depot Committee, the Public Health and Building Regulations Committee, the Electric, Water Works and Fire Brigade Committee, and the Finance and City Lands Committee. Each of these Committees has its own Chairman.

11460. The Mayor is *ex officio* a member, I believe?—Yes, and each Committee consists of six members.

11461. How often do these Committees meet?—Every fortnight. They meet on alternative weeks to the Council, which also meets every fortnight.

11462. Do you think that there is a growing interest in Municipal matters in Cape Town?—Yes, I think there is a growing interest, though I am sorry to say that I do not think the leading citizens of Cape Town take sufficient interest in the Council's work. At any rate they do not seem willing to devote their time to the work of the city. Generally speaking, there is, no doubt, a good deal of interest in the work of the Council.

11463. There are a large number of gentlemen who carry on business in Cape Town and live in the suburbs?—Yes, that is so.

11464. Have you any idea of the number?—None whatever.

11465. Do you think that tends to diminish the interest in Municipal matters in Cape Town?—I think so; it must.

11466. It would be very advisable to restore that interest if it were possible in some way, would it not?—Yes; but I think another reason for the lack of interest of that class is that the business man of Cape Town, generally, is fairly well satisfied with what he gets for his money and does not want to waste his time bothering with other things. That, I think, is the reason to a very great extent for the want of interest.

11467. What is the population of Cape Town?—I do not know the exact figures but we take it as between 70,000 and 80,000. It is a matter of opinion.

11468. We are endeavouring to get a census for the purpose of this Commission. Do you think the Town Council will place every facility before the Commission for that purpose?—Yes, because it will be to the advantage of the Town Council as well as the Commission.

11469. Do you think that the population of the town at this moment is greater than the population this time last year?—I think the population is less at the present time.

11470. So that any estimate made last year would include a large floating population, a non-permanent population?—Yes.

11471. Was any estimate made of that floating population which has been in Cape Town during the past two or three years?—I do not think so. Opinions have been expressed as to the number but there has been nothing definitely recorded.

11472. It was a pretty large population?—Yes.

11473. Would it run into thousands?—Yes, I should say about 20,000.

11474. You include women and children?—Yes.

11475. And you would not be surprised if returns had been made out which would shew that the population of Cape Town had diminished to that extent during the past twelve months, or have the refugees not all gone yet?—They have not quite all gone yet. I would not anticipate such a decrease as you mention because there is still a number coming in and we have also some still remaining with us. The working population have pretty well gone, but we have still a number of other refugees.

11476. You have no statistics of the population in 1899?—Nothing whatever.

11477. Have you had nothing since the census of 1891?—Nothing; any calculation since then has been pure guess work.

11478. Do you think that, even now, if a census was taken, say this month, some allowance should be made for the refugee population?—I think that our population will be maintained by the influx of the people. I think you might take our present population as a fair average of the population for some time to come. I do not think there will be much diminution, for as soon as it is possible for people to get here freely they will come; and many of them are likely to remain.

11479. Have you formed any idea of the increase in the population that is likely to take place in Cape Town?—I cannot say that I have.

11480. Do you think that the population is likely to increase at more than the ordinary rate?—Yes, I think that it will, for some time at all events. There will be at the same time a strong desire, for a period, for people to get away into the country, but there will be a number left here, and I do not think that we have anything like sufficient houses, even yet, to supply the demand. I do not think we are overdoing it in that way, so far as dwelling-houses are concerned.

11481. Do you think that the population is likely to increase more than it would under the ordinary law of increase?—Yes, certainly.

11482. By influx?—Yes.

11483. Are industries springing up to any considerable extent in Cape Town?—Not very many.

11484. The Native population is increasing very rapidly, is it not?—I do not know that it is. I am not sure upon the point. We find a great difficulty in retaining Native labour of any kind.

11485. Is that on account of its general mobility?—Yes, it is always moving.

11486. You have no Municipal organisation for bringing Native labour into the market?—No.

11487. People who want that article have to get it for themselves?—Yes, but I believe that the Government have been assisting in some way to bring down the Natives. I understood Sir Gordon Sprigg to say that he had done his best to distribute the Native labour, and to bring some portion of it down to this end of the Colony.

11488. There is a very considerable area of Cape Town still to be built upon?—I could not say that, although there is still room in certain of the districts.

11489. What districts?—In Districts Nos. 4 and 6, but the other districts are practically built over.

11490. *Dr. Gregory.*] Is there not a possibility of a good deal of expansion in District No. 5?—I do not think that District No. 5 can expand very much. It is overlapped by other districts. I do not think that it takes its course right up the mountain.

11491. There is all Spolander's ground and other ground, is there not?—I could not say from memory; I have not a map of the district with me.

11492. You have a good deal of practical knowledge of the building areas of Cape Town?—Yes.

11493. What do you estimate as the probable increase in the number of buildings in the future?—That is rather too difficult a question to answer. Of course it is easier to speak as to the increase in value. I do not think we are likely to increase above

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what we have been doing. We have been practically spending in the City proper in extension close upon £500,000 per year. For some years we have been doing that, and I take it that it will continue for some time to come. So that whilst one cannot give any idea of the exact number of buildings one can give something like the approximate increase in value.

11494. There is a very considerable area that will come under building operations in a short time. For instance, the Oranjezicht Estate and Mellish's ground?—Yes, and the Municipality owns a certain amount of ground also, but that development will not be very rapid.

11495. There is room for many thousands of houses more in the town?—Yes, in District No. 4 and in Districts Nos. 5 or 6, as the case may be.

11496. When I said District No. 5 I ought to have said District No. 3, a littl while ago. Does that alter your opinion?—No. District No. 4 covers District No. 3, it runs right at the back of it.

11497. With regard to the question of Aldermen, how do you propose that they should be elected?—Take it in the first instance that that we have 24 Councillors elected by the ratepayers for three years. Then the Council itself would elect six out of its number—the men of the greatest experience I take it—to be Aldermen. These would have an extra life of three years beyond the actual life of an election by the ratepayers. They would have a life of six years instead of three years. First of all they would be elected by the ratepayers for three years, like the rest of the Councillors, and then would be elected by the Council for a further period of three years. I think it is better that they should be elected from the Council itself. I do not think the matter should be put direct into the hands of the ratepayers. They are not always the best judges of the men who have the most experience and knowledge of the actual work in the Council. Of course, they may disapprove of a man's actions and refuse to elect a man who might be a very valuable man so far as Municipal knowledge is concerned. If they refuse to elect him, through some offence which he might have given, on even a minor point, the Council would lose the value of the experience which he would have, which is the very thing you want to gain.

11498. But you might have suitable men for Aldermen who do not happen to be on the Council?—You might; but I think it is preferable that the men should be in touch with the Council, and that the ratepayers should have the right to elect any men sitting on the Council.

11499. Then is the extra three years' lease of Municipal life the only contemplated difference between Aldermen and ordinary Councillors?—That is all we contemplate. In other countries I believe it is not so, but that is all we propose. In some other countries I understand that the Aldermen have a very much longer period of service, but we think that the extra three years would meet our requirements.

11500. The Alderman's powers and duties would be exactly the same as the Councillor's?—Yes, I take it that would be so. I do not know that we propose to give him any other advantage.

11501. Then an Alderman would not be an exalted Councillor in any other respect? An ordinary Councillor might still be his chairman on a Committee?—Yes, it is so now. The Mayor never takes the chair at a Committee meeting. At any rate, unless in the absence of the chairman and, even then, it is not the custom for him always to do so. There is nothing in the Act, or in the Rules of Order, to prevent him doing so, but as a matter of fact, he never, or very seldom indeed, takes the chair at a Committee meeting. There would be some little honour attaching to the post of Alderman, but the title would give a Councillor no other advantage than that of wh ich I have spoken.

11502. The title of Alderman would be a courtesy title, would it not, only implying a little more confidence in him by the Council than the other members?—That is all. It would merely indicate that he was considered a man of experience in Municipal work.

11503. Would an Alderman be eligible to have his period of office extended by re-election by the Council?—That was not proposed. The idea was that after he had served his period of six years he must again submit himself for re-election, should he desire to do so. Whether that is wise or not I cannot say.

11504. And having been submitted and re-elected by the ratepayers, would he be eligible to be re-elected as an Alderman?—Oh, yes.

11505. Would these Aldermen be elected at the expiration of three years' ordinary service?—Not necessarily.

11506. At any time?—At any time. The moment they were elected to the Council they would be eligible to be elected for six years as Aldermen.

11507. You would not then advocate the establishment of Aldermen on a more permanent basis?—I do not know. I would not like to say that. I believe you might

go further than that with very great advantage, but I do not want to travel too fast before the public opinion is thoroughly convinced of the wisdom of the proposal. To have done so in the past would have been to shut out the possibility of carrying the thing at all, otherwise I do not disagree with the idea.

11508. Under your scheme can an Alderman be Mayor?—Yes, there is nothing o interfere with his being elected as Mayor, and I may add that if the system, as proposed, had been adopted, the Mayor might have delegated many of his minor duties to Aldermen. It would be a great convenience to the Mayor to be relieved of many of the minor duties attaching to the post. There are great demands upon the time of the Mayor; many of them for duties which Aldermen might do equally well.

11509. Was it not proposed that the Mayor should always be an Alderman?—No, there was nothing of that sort in the proposal.

11510. Presuming that a larger authority were established, and the Cape Town Council re-arranged, do you think that the establishment of Aldermen who would hold a lengthened term of office, and the election of Councillors by Wards or Districts would be a good combination?—Yes, but I would not make the term of office to be held by Aldermen too long a one. I think if they were appointed for too long a period it might create friction. I, however, think that an Alderman's period of office might with advantage be extended to 7 years or perhaps 10 years. Ten years however should be the outside, because there are other men gradually coming up who would be competent to fill those positions when having gained more knowledge and experience. I would make provision for that because it would not do to place entire power in the hands of the Aldermen. I would rather limit their term of office to 7 years than to 10.

11511. You would not put any powers or functions in the hands of the Aldermen?—I would leave the Act in such a form that the Council could delegate power and authority to the Aldermen. For this reason: if you amalgamated any Municipalities with Cape Town you might elect Aldermen from those districts, and they might be considered, practically, chairmen of the District Committees with a little extra authority. That might be worked out, and thus it would be brought about that there would be some little advantage in the election as Aldermen.

11512. What other powers would you delegate to the Aldermen?—It is very difficult to say, but I know that there are a great many matters, especially as we have discovered, within the last three years, that the Mayor is rather overworked, being called upon to do a great deal of work that might be done by some other members of the Council if they had the authority. It is a tremendous tax at the present moment upon the Mayor to carry out all the duties and functions which are expected of him. That matter, however, is not one to be settled off hand. It is a matter of detail which requires looking into.

11513. Why should you not select your Aldermen from outside the Council? Might you not get a different class of man, in some respects a better class of man, as Aldermen?—I do not think you can carry that out very well. There has been a good deal of talking about this better class of men. The ordinary Councillor resents it and would resent the very thought of another being elected upon the Council as an Alderman because he happened to be better than somebody else. They say that every man must take his fair share of the ordinary work of the Council and qualify for his office. They say again, why should I devote three years of my time to the interests of the town and see another man elected as Alderman and take the dignity and honour in preference to myself? I am sure such a principle would not answer. That is the opinion which I have formed from what I have heard.

11514. But are there not some men who would be very desirable members of the Council, but who are not prepared to go in as ordinary Councillors and spend a considerable amount of their time on the every-day work of the Council?—I do not favour the idea at all. There may be men of that nature, but I prefer the man who is prepared to work and has worked. It was debated with us when we were considering the introduction of this Bill as to whether the Mayor should not be elected by the citizens outside the Council altogether. That is the only thing which you could really do outside the Council. There was, however, a very strong opinion against that. It was felt that the selection of the Mayor should be from the Council itself, from amongst the men who had served the town and had worked in its interests. I know, of course, that such a system does exist in some places, that they do select a prominent citizen of the town to be Mayor, and it was suggested that we might do so. There were a number who considered that we might go in for a Mayor, more particularly to carry out the social duties of the office and thus get a man who might not be disposed to devote too much of his time to the ordinary work. It was debated but it was not carried. I mention this to shew you that the matter was not lost sight of when we were discussing our proposed Bill.

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11515. Then you are strongly of opinion that the Aldermen should be elected by the Council?—Yes, I would fix it in that form; it would be more satisfactory.

11516. *Mr. Gurney.*] In connection with the framing of the estimates, do you regard the present arrangement as a satisfactory one?—In what respect?

11517. I believe, as a matter of fact, that your estimates are framed in December?—Yes.

11518. By the City Treasurer working under instructions from the various Standing Committees?—Yes, roughly, that is so.

11519. Then so much of the estimates as concerns the Electric, Water Works and Fire Brigade portion of the Municipal accounts would come before you before going to the Finance Committee?—Yes.

11520. Does that give you plenty of opportunity to substantially criticise such estimates?—Plenty; we invariably take a special meeting, and sometimes two meetings, over the estimates.

11521. As a matter of fact, are these estimates criticised by the Chairmen of the various Committees?—Yes, they are.

11522. They are not left to the Town Clerk and the Treasurer?—The Town Clerk has nothing to do with it. Each item is read over and discussed by the Committee. Every item in the estimates is taken *seriatim*.

11523. Then these are really the estimates of the various Committees, and not of the permanent officials?—That is so. We very often strike out items from the estimates. For instance, the Fire Brigade Superintendent might submit certain items. We go in detail into his proposals, and consider whether the application is a just one, and treat it accordingly. Every matter is carefully gone into and threshed out. If we are satisfied, we leave the item on the estimates. On the other hand, if we consider the proposal excessive and don't feel justified in recommending it to the Council, we strike it off. The proposal may be raised again at the meeting of the full Council, and the Committee's decision may be reversed, but in each case the members of the Committee have passed their opinion on it.

11524. With reference to the proposals about which some trouble ensued, and which were concerned in Mr. Lieberman's complaints—the proposal to form a Reserve Fund, and some payments which were down in the estimates of the Committee of which you were chairman,—were they introduced by the Committee?—I would not exactly say that. We very often get suggestions to the Committee from our permanent officials, and these suggestions we discuss and often adopt.

11525. There was a sum proposed of £31,000 in 1901, and in 1902, £8,000 to be transferred to a Reserve Fund?—We called it a Reserve Fund.

11526. It appeared on the estimates of the Electric, Water Works and Fire Brigade Committee?—Yes, it was because of the surplus.

11527. That proposal would come from the permanent officials?—Simply as a suggestion for the disposal of certain surplus funds. It was suggested to us and we debated upon it. It was for us to say whether we disapproved or approved of it.

11528. In the first instance you approved of that proposal?—Yes, but of course we modified it.

11529. I simply wanted to get at who was at the bottom of the proposal?—The Committee are responsible entirely for it. Whatever suggestions are made the Committee must deal with them, and they must be entirely responsible for the decision and must accept the responsibility.

11530. In connection with the whole of that question, have you come to any conclusion in reference to the form in which you should keep the accounts, and render them under the Act, or have you still an open mind upon it?—As to the keeping of the books, the matter has been under debate for several years with a view to an alteration in the method of bookkeeping, but we have hesitated to alter the conditions, and, I think, very properly so, because when the books were established, and I think you know something about the conditions under which they were established, the Municipality sought the advice of the Government as to the best way of keeping them. They got the advice of the Government, and the present system is the one which we were advised by the Government to adopt.

11531. And that is strictly following the terms of the Act?—You may take it that it is so.

11532. And therefore if there is any complaint to be found it would really be against the Act?—That may be so, but of course the Act may allow for other methods of keeping the books as well.

11533. Additional methods?—Yes.

11534. But you have not been hampered hitherto in connection with your financial arrangements by any of the bookkeeping methods?—Not really hampered but it takes longer than we like to get out a statement sometimes and then again we

have gone into matters, practically commercial things, which, when these books were established, did not exist and were not even thought of. We have put our Water Works upon a commercial basis. We think they should be worked on commercial lines entirely, but previously the Water Works were worked partially free, partially on a tax and partially on a charge—the whole thing was mixed up.

11535. The development of the Town Council business has been tremendous since these books were devised?—Yes, look at the income, how that has increased. Then see how the rateable value has gone up. Within the last six years it has increased over £6,000,000. That is an enormous increase.

11536. Have you given consideration as Chairman of the Committee to the underlying motive in proposing to put this money in a Reserve Fund, the possible danger of the Council having a very heavy claim made upon it in connection with these Water Works?—I do not think that was the idea just at the moment. I remember the discussion distinctly. For our Water Works we have to get a large quantity of stock which is not allocated. We have no fund at all upon which we can charge that, except the Loan Fund. We have to borrow for the time being. This little Reserve Fund, as we called it, was to meet this difficulty. We should be able to get the necessary stock of supplies and have a proper fund to which we could allocate the charge.

11537. Are you aware that the Railway Department and the Public Works Department got over the difficulty by obtaining, through Parliament, the funds for a Stores Account?—That may be so, but I personally agree with a Reserve Fund. It is a system adopted very largely in England in the larger Municipalities.

11538. If it was authorised in the Act you would like to see such a Fund?—Yes, it would be the proper thing.

11539. But it would not be the proper thing if it was not authorised?—Quite so. If it was in direct opposition to the Act we could not do it, but it is very desirable and it is a system that is largely practised in the large Municipalities in England. Take Glasgow, Birmingham, Leeds and Manchester. These large Municipalities pay enormous sums out of the profits of their works to the benefits of the rates every year. Even take Glasgow, the cost of its large scheme for water was paid out of the Reserve Fund.

11540. But you have not gone into the legislation of the matter, and you are not aware of the fact that these bodies had the necessary legal power to do that?—Glasgow had not when they commenced it. They did it for some years before they had any legal authority for doing it. The principle is sound but the authority may be wanting.

11541. This year the Council has started a Sinking Fund for the partial extinction of its debt, has it not?—I do not know that it was started in this year, but in any case it is a very proper thing.

11542. That is divided in the estimates of the Council between the various Committees, but there is nothing to indicate how such a division was arrived at. Are you able to tell us?—On the liability of each Committee.

11543. Proportionately to the debt?—Yes, exactly. These things are tabulated. For instance: we have a debt of nearly half a million on Water Works and that must be provided for.

11544. Then this would really be a distribution arrived at according to the portion of the debt incurred upon the works for which the various Committees are responsible. For instance, your Committee would take Electric, Waterworks and Fire Brigade debts?—Yes, we have incurred certain debts, and then in addition there is the drainage debt, for which there is no revenue at all, to be provided for.

11545. Has it been decided in what way you would dispose of the money you propose to pay into the Sinking Fund?—Not yet. We have a deposit in the bank which is growing. We are even now, as you know, withdrawing some of our debentures. We are paying so much every year off the debentures. We have the right to do so.

11546. It is very desirable, when a Sinking Fund is started, that those who start it should carefully tie up the money, so that those who come after shall not be able to spend it in some other way than that for which the Fund was started?—Just so. We have a distinct statement that the Sinking Fund is started for a certain purpose. And we may either deposit that money or lend it to another Department, of course charging that Department interest on the loan. The whole sum will be credited to your Department.

11547. Does the Committee, as a Committee, have the opportunity of judging practically of the progress of the work for which it is responsible? That is, do you make inspections of your works?—We very frequently make inspections. The Chairman, in particular, is expected to do that, and I suppose there is scarcely a week passes by that I do not see some portion of the works in progress.

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11548. That really means a very serious responsibility and a serious tax upon the time of any man who undertakes to be Chairman of any Committee?—Yes, if he does his duty.

11549. And that is quite without remuneration?—Oh, yes.

11550. *Chairman.*] I would like you to put in some figures showing the expansion in the rateable value and revenue of the town in recent years?—In 1897, our rateable value was £5,066,420; a rate of 4d. in the £ was levied, and the amount collected was £84,001 14s. 1d. In 1898 the rateable value was £5,674,280, and the rate of 4d. in the £ produced £93,101 7s. 4d. In 1899 the rateable value was £8,613,690, a rate of $3\frac{1}{8}$d. in the £ was levied, and the amount collected amounted to £111,625 2s. 3d. In 1900 the rateable value had increased to £9,020,210, and the rate of $3\frac{1}{8}$d. brought in £116,619 15s. 6d. In 1901 the rateable value was £9,475,260, the rate levied was $3\frac{1}{2}$d. in the £, and the amount collected was £134,977 19s. 2d. For the year 1902 the rateable value is over £12,000,000. A rate of $2\frac{3}{4}$d. in the £ has been levied, and is estimated to produce a revenue of £143,143.

11551. Speaking generally, and taking the last valuation to which you have just referred, is the increase largely due to an increase in the valuation or to an increase in the number of properties valued?—To both. A more equitable valuation now exists, possibly, than ever existed before. I do not say that it is perfect, but it is a more equitable valuation than we have had in the past.

11552. As compared with former valuations, would there be a greater increase in the valuation of the properties as against the increase in the new properties this year?—I think so. I do not think we are spending more in building than formerly, as can be seen from the returns. As near as possible there has been £500,000 spent in extensions and improvements.

11553. Speaking generally, you do not think that the values now existing are likely to continue?—I think so. Of course there may be in some instances a necessity for a reduction, and that applies more particularly to the rent-producing properties, that is to say, the smaller properties. I think they are at the top at present. The owners of that class of property have raised the rents beyond what they were worth. The rents have been altogether out of proportion to the values of the properties. This may find its level by-and-bye. But, of course, whilst we are short of houses these rents will remain as they are.

11554. Speaking generally, for a rise in the valuation in the near future, the Council will have to depend upon new properties?—Yes, and on alterations. There are, however, some properties, even to-day, that are undervalued in proportion to their neighbours. It is almost impossible for us, under our present system of valuing, to get at a uniform valuation for all properties. The system we have followed has been to take a certain centre and place a certain value upon a certain frontage in that centre, but then we have to distinguish between the depth of a property and its frontage, and that is where, up to the present, we have failed. In my opinion, in the future, we ought to make an alteration in our method of valuing. We ought to appoint a permanent valuer for the Council itself, and have a man to keep at the work all the year round. He should be able to take measurements and then, by calculating the frontage as well as the depth and the height of a building, we would be better able to get at a more equitable value. That, however, can only be done by a permanent official.

11555. Would you have this permanent official appointed by the Town Council?—Yes, a properly paid officer of the Town Council. I would have a man well paid, and he should do nothing else but value properties. I think it would inspire confidence in the public generally if we got a properly qualified man.

11556. What should be his qualifications?—A man with some knowledge of the value of buildings, as well as a knowledge of the value of the ground. It would be necessary that he should be a sworn appraiser, but he should be something beyond that. If it be possible I would like him to be a thoroughly qualified surveyor or an architect.

11557. It has been suggested that the valuers appointed by the Council should be subject to the approval of some department of the Government. For what object?—We ought to be able to determine as to the value of a man.

11558. It would be with the object of making the ratepayers more satisfied?—The Government appoints two valuers who sit upon the Valuation Court to defend the rights both of the Council and the citizens, men who are paid for the purpose.

11559. Do you think that is sufficient protection for the ratepayers?—I do, certainly

11560. You mean coupled with the provision that the valuer should be a permanent officer?—Yes.

11561. And be a sworn appraiser and paid by the Council?—Yes, certainly.

11562. *Mr. Gurney.*] Speaking of this valuation of properties, did you see the evidence of Mr. Moller before the Commission, in which he spoke of the lesson which the Jew was teaching to the inhabitant of Cape Town nowadays in the possibility of getting very much higher rent out of properties than has been obtained in the past?—We do not want to be taught the lessons of the Jew in that respect.

11563. Did you read the evidence?—I believe I read a portion of it.

11564. Do you think it is a lesson that Cape Town is going to learn and is going to act upon?—I think there can be little doubt that a large quantity of property has been purchased by that type of person and rents have been increased enormously. I know some instances where the rents have been actually trebled, although the original rental was really quite sufficient considering the value of the property. That, however, was pure speculation.

11565. And would that form a fair basis for increasing the valuation of surrounding properties?—No, I think the Valuation Court have always taken that into consideration with regard to the valuing of other properties. It was in that connection which I spoke just now in regard to certain necessary reductions. When some of these men have appeared before the Valuation Court, and it has been put to them what rental they get from the properties, we have discovered over and over again the exorbitant rents which they are charging. There have been cases where the owner of an adjoining house, similar in all respects, was getting little more than half. We had to make those people who were charging this heavy rental pay in proportion. The court did not feel justified in reducing the value of the property when the owner was getting such an enormous rental for it. If, however, that property changed hands and a more reasonable rental was asked by the new owner, an alteration in the valuation would be made. It is not the custom of the Court in such cases to bring up the valuation of the neighbouring property, because it would be a wrong principle. If a man chooses to fleece—I will use a rather strong word—these poor people, it is not for us to encourage other people to do so.

11566. But according to the evidence, that would appear to be the principle upon which Mr. Moller would value Cape Town in the future?—Mr. Moller may have strange ideas and I do not agree with all he says, but I will certainly give him credit for this: that he did remarkably well at the last valuation although I do not know exactly upon what basis he went to work.

11567. Have you given consideration to the necessity of the Council getting Parliamentary authority for taxing unoccupied lands—lands lying waste in the hands of speculators to be sold at a more convenient period in the future at a profit?—It is only within recent years that this land has been of value. The land has become valuable because of the reservoir which we have built upon Table Mountain, thus making it possible for a supply of water to be given to all these places. Before that all this land on the slopes of the mountain was practically valueless for revenue purposes. You could do nothing with it without water. That has been one of the benefits which certain portions of the town, and more particularly Sea Point, has reaped from the Table Mountain Reservoir.

11568. Now, that this land has become valuable, and can be built upon, ought not the Council to be able, more or less, to force the hands of the owners to sell within a reasonable time or bear a very high taxation?—There has been a very considerable increase in the valuation of lands within the last three years, and the lands have been taxed far beyond anything which they used to have to pay. I should say, as a matter of fact, that the valuation has gone up from 300 to 400 per cent.; so that these people are not getting off quite so easily as they were.

11569. Do you not think they are getting off far too easily as it is?—Possibly so, it is a matter for consideration at all events.

11570. *Chairman.*] Just a question as to the difference between the Municipal valuation and the Divisional Council valuation. At no time since 1900 has the Municipal valuation been below £9,000,000, and this year it has exceeded £12,000,000?—That is so.

11571. But the Divisional Council valuation of the property of Cape Town at the assessment of 1901 did not reach quite £6,000,000?—I know that there was a wide difference. I do not know exactly what the Act says on the point, but I believe that the valuers are called upon to make some reduction or allow some slight percentage on the Divisional valuation. I do not know whether they have any warrant for that under the Act, but that appears to be the view which they have taken of it. That is one of the reasons why we ought to dispense with a double valuation. I think it is an absurd system. My own properties bear the same valution for both authorities. I do not happen to be one of those happy individuals who find a difference.

11572. You really do not know the explanation of the difference in the two valuations?—I really do not know why any difference exists, but I was under the impres-

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sion that there was something of a permissive clause in the Act which did not demand that the valuers for Divisional Council purposes should go to the full value of the properties. For Cape Town Municipal purposes the valuers must set down the value at the present market price. They are sworn to do so, but whether that applies to the Divisional Council valuations I do not know.

11573. Do you see any necessity for keeping up two valuations?—None whatever.

11574. *Dr. Gregory.*] You said that there are two Government nominees on the Valuation Court to protect the interests of the ratepayers, but you also say that certain anomalies, and therefore injustice, have occurred in regard to the valuations?—They are bound to occur.

11575. So that these two Government nominees have not been able, entirely, to protect the ratepayers?—I think they have, in so far as over valuation is concerned. When I spoke of inequalities existing, I spoke of under valuations. When a man complains of his property being over valued, he appears before the Court and gives his reasons. The Government nominees hear the reasons, and if they are satisfied with them they say so, and their opinion is of great weight upon the Valuation Court. I know of no instance of the Valuation Court not having listened to the opinion expressed by the Government nominees.

11576. Of what number does the Valuation Court consist?—The Council has the power to appoint the whole of its members on the Court, but it generally appoints about five with the two Government nominees. More members are appointed than are expected to be in regular attendance, because it is considered that it would be too much of a strain upon a Councillor's time that he should sit throughout the whole sittings of the Court, and thus they are able to relieve one another.

11577. Who are the Government nominees?—Mr. George Smart and Mr. J. H. Hofmeyr, the auctioneer.

11578. You state that the ratepayers are always listened to by the Valuation Court, but I have heard of remarks to the effect that the Valuation Court has not always heard with very great patience the objections which have been brought before it?—I have presided over three Valuation Courts myself, and I venture to say that no man can come before me and say that he did not have a fair hearing. I will, however, at this point state that at the last Valuation Court the authority was exercised—which the Court has been slow to exercise previously—of raising valuations. That is to say, when a man came to complain about the value placed on his property, and when the Court had looked into the matter and found that there was not only no reason for objection but that the property was actually undervalued, they raised it. That was a novel procedure, although perfectly legal and within the power of the Court, and some of the feelings of the objectors may have been a little ruffled by it. In some cases this adding to the valuation resulted from the action of the objector in not clearly stating to what he objected. For instance, a man with a number of properties—as has been the habit in the past—on seeing the Valuation Roll, has just sent in a notice saying that he objected to the valuation of his property. When the matter has come before the Court and the property was called out the owner may have said that that was not the property to the valuation of which he objected. But then the Court may have gone into it and discovered that it was undervalued and raised the valuation accordingly. That action of the Court no doubt caused a great many of intending objectors to go away without pursuing their objections rather than run the risk of an increase.

11579. Can the Court only deal with those properties to which an objection has been made to the valuation by the owner?—No, any ratepayer may raise an objection against the valuation of any property.

11580. Then without an objection the Court cannot deal with any valuation?—No, the Court do not deal with properties in regard to which no objection is raised. There must be an objection, either as to the under-valuing or the over-valuing.

11581. When you say that the Court should remain as it is, I presume you are looking at it from the point of view of Cape Town only and not in connection with the valuations of the Peninsula generally?—I do not see any difficulty in carrying out the principle I have suggested everywhere. I believe it would be the soundest principle under all circumstances. A permanent man is far more likely to get at the actual value than ever-changing valuers. It so happens that we have had our present valuers for two or three years. We had other applications for the post and it has been a matter of tendering. That is an objection in itself.

11582. You do not think that this matter of tendering for the work is a good principle?—I do not think that it is. I believe in having a permanent man well paid for the duty.

11583. Do you think, as a general principle, that the local authority—I do not say the Cape Town Council—should constitute the Valuation Court and appoint the valuer?—I think so. I see no reason why they should not.

11584. Only that they are the most interested party?—No, we are all property owners.

11585. But is not that a very good way of saying that you are interested?—Why should we be disqualified from selecting a suitable man? On what grounds? Simply because we own property? I do not think so. I think that is an advantage rather than otherwise.

11586 That is from the individual point of view, but from the collective standpoint, as the local authority, it is of material importance to you what the rateable value happens to be?—No, we do not take that view at all. I emphatically deny anything of that sort. In our considerations or debates we have never looked upon it that we were hoping the valuer would bring up an excessive value because we wanted it. Nothing of the kind. We have never done any such thing. The valuers take the oath to do what is right, and when they have got that instruction they go and do it, and we have nothing to do with them.

11587. It has been given in evidence in regard to certain local authorities, that the matter of increasing their valuation has influenced them, in a measure, in selecting their valuer?—I must confess I know of nothing of that sort in our Municipality, during my connection with it, in any form whatever. I never remember any such a point as that being mentioned.

11588. It has been suggested that the Valuation Court should consist of gentlemen appointed by the Government so as to constitute quite an independent Court—quite independent of any Council—to review the valuations. What would be your objection to such a Court?—I have a distinct objection. I believe that the Council are qualified for the work, and as they have the spending power with regard to it it is absolutely necessary that they should have some say in the revision of these valuations and not leave it to any person outside. Why should a Government nominee not be biassed as much as a Council official? He would only be human and would probably have his friends who would come off a great deal better than they now do. We are quite as capable as any men who might be appointed. I should certainly object to your proposal, and I think you will admit this fact, that four or five men from a Town Council forming a Court will be pretty well certain to know what is correct, and it has been my experience that there is nothing like jobbery or collusion about them. They are too independent in their way of thinking for anything of that sort. You are more likely to get justice from them than from any individual.

11589. Of course, you quite understand that there is no intention of suggesting anything of that sort?—That may be, but there is a reason for the question.

11590. As a matter of principle, you claim that the Council should do this work because they have the spending of the money?—They have large responsibilities in connection with the town, and I think they are quite as capable as any other body to do the work.

11591. But why should the reason that they have the spending of the money be advanced for their sitting as a Valuation Court? Is that not a reason why they should not sit?—No, I think it is necessary. Any revision should be by them. I maintain that justice will be given by them, which is all we want and which is all the inhabitants have a right to expect.

11592. Let us take ourselves out of Cape Town and consider the Peninsula as a whole. Do you think that it is a good principle that the valuation of the properties in the Peninsula should be subjected to a number of different small Courts, rather than to one well constituted and official permanent Court?—I am not in favour of the number of Municipalities that we have. I have always looked upon their creation as a mistake, and therefore what I would apply to the Municipalities I would apply to the Courts. I object to them, and I cannot understand how they have been able to maintain them. It has been detrimental to the interests of the Peninsula.

11593. Your remedy for any difficulties would be to apply the Cape Town Valuation Court to those areas rather than to establish an independent Court?—If there was an amalgamation the people would have their representatives on the Council, and, naturally, have a voice in the selection of the Court. Consideration would also be given to representatives from the centres affected.

11594. Should not the appointment of that permanent valuer, of which you spoke, be subject to the approval of the Government?—I do not know that. For what purpose would you have it? I see no object to be gained. We already appoint our chief officials such as our Engineer and our Town Clerk. If there was any objection to our selection I do not see any reason why the Government should not call attention to it. But I think that in the matter of the appointment they would rather trust the local governing body to deal with it.

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11595. You mentioned that your system of valuation should consist in taking the frontage, as well as the depth of the premises, and the height of the building. Does that not really mean the valuing of the site and then the building on the site?—No, I was only explaining the system which ought to be adopted. When the valuer brought forward his estimate he would not discriminate between them.

11596. But it really means that the valuation would be in two parts, one for the site and one for the building?—Yes, the man would value upon that principle, but he would not come before the Council and say that the building was worth so much and the land so much. He would simply present the total. It would, however, require a permanent official to go into all those details. The present system of giving a man three months or even four months to go around the Municipality and value all the properties is wrong. The time is not sufficient to give a man the opportunity of satisfying himself upon all the necessary facts.

11597. How would you provide for the removal of your valuer if he was not satisfactory?—I should have him upon the same conditions as the City Engineer or any other official. I would not have him removable because of some petty objection by some member. It must be a matter of principle, that he is not qualified for the work, or does not do the work, and that would be settled by the whole Council, the same as it is now done.

11598. You would have him an official of the Council to devote his whole time to the work, but would there be enough for him to do?—Yes, there would be plenty. There would be the interim valuations, also, which as I have told you amount to nearly £500,000 a year. There would be quite enough for him to do, and in the end it would be cheaper for the Council to have permanent men the whole year around.

11599. Now, presuming that you appointed a permanent official with the qualifications which you have mentioned, and he turned out unsatisfactory, it seems to me that it would be a difficult matter to get rid of him?—I do not see why. It would be no more difficult than getting rid of any other professional man. It might be a delicate thing, perhaps, but it has to be done sometimes, and it is done if the man is unsuitable.

11600. *Chairman.*] In the matter of the valuation of the town, have you never heard of any suggestion that one man should be employed to do the work rather than another because he was in the habit of valuing high or low?—Never.

11601. Coming to the matter of waterworks. What works did you find to be in existence when you came on to the Council?—The Woodhead Reservoir on Table Mountain was being constructed. It was getting well on towards completion. The tunnel had already been constructed.

11602. That reservoir was designed to collect the water from the area on the top of Table Mountain and bring it by pipes through the tunnel along the western side of the mountain into the reservoirs at the foot of the mountain?—Yes, but first of all to the Mocke Reservoir, which is on the Kloof Nek. That is a distributing reservoir for Sea Point and other portions of the Municipality.

11603. What was the Woodhead Reservoir designed to hold?—225,000,000 gallons.

11604. And when it was completed, was it found that the run-off from that collecting area was more than sufficient to fill it?—Oh, yes.

11605. And, therefore, it was suggested, and eventually resolved, to construct a second reservoir to catch that extra supply?—Yes.

11606. Upon whose advice was that done?—Well, Sir John Woodhead took a great interest in the matter. He was very strong upon the question. Of course, Mr. Stewart was the engineer. He built the reservoir, though he was not the engineer for the tunnel. He is also the engineer for the reservoir now under construction.

11607. Were figures put before the Council to show that there would be run-off sufficient to fill the second reservoir?—Yes, a table of that sort was supplied. Mr. Stewart gave us the information.

11608. Do you remember at what amount that run-off was calculated?—No, I cannot tell.

11609. But the Council were satisfied with the statements of Mr. Stewart?—Yes.

11610. Was there any other engineer in consultation with him?—No, it was entirely upon his recommendation that we proceeded to build the second reservoir.

11611. And you built that reservoir on the understanding that the run-off would be sufficient to fill it?—Yes. Mr. Stewart had the gaugings of the rainfall and he said that they would be quite sufficient to fill the reservoir. He also told us that there was more water to be had on the mountain, but that to be able to catch it we would have to go in for very costly works so that it would not be worth our while.

11612. Could you get the figures which he supplied to the Council?—I would not answer for that, but I know that the figures perfectly satisfied us that there was

water enough to fill the reservoir. I, myself, was opposed to the second reservoir being constructed. I was never in favour of its construction and I voted against it.

11613. What were your reasons for being opposed to it?—My reason was that I considered that the first reservoir was ample to supply all the upper levels of the town. I spoke to Sir John Woodhead and said that I must oppose the second reservoir because I considered that we had made plenty of provision for the higher levels of the town, and that the second reservoir which we intended making would be quite insufficient for our wants in the future, and I was rather in favour of spending £200,000 or £300,000 on a more permanent supply than spending £150,000 on the second reservoir on the top of the mountain. I do not say that the reservoir is not good in itself, but the probability is that at an early date we shall have to seek water from elsewhere. The supply from the mountain will soon be insufficient for the requirements of the city. It would have been wiser for us to have had this £150,000, or nearly £200,000, which this second reservoir is going to cost us, to devote to the purposes of bringing the water from some permanent stream into the town. I was, however, only a young member of the Council when this matter was before us.

11614. But were your views represented on the Council?—I voted against the loan.

11615. What was the estimated cost of this second reservoir?—The original estimate was £112,000.

11616. And up to the present, what has been the expenditure upon it?—About £130,000, and I believe that the latest report shews that it will cost about £192,000 to complete it.

11617. And then what will be its capacity?—About 200,000,000 gallons.

11618. And even with that storage you will not have sufficient for the prospective needs of the city?—Only for a time. Not for any lengthened period.

11619. From that point of view you entirely agree with Mr. Roberts, who says that the Council will have to look further afield for new storage?—Yes, we may go on for a matter of 10 years before it is urgently required.

11620. What do you estimate the actual overflow from the Woodhead Reservoir to be?—I cannot say. I was a new member of the Council when this matter was brought up. I did not know much about the business, but I represented my opinions to Sir John Woodhead, who was Mayor at the time, and to whom we owe a good deal for having got so much water as we have.

11621. In the arrangement of your reservoirs, does the one now in existence get the first flow of the water?—No, it will get the second flow.

11622. Then the one now being constructed will get the bulk of the water and the overflow from it will fall into the existing reservoir?—Yes, it is higher up the valley, that is all.

11623. Has the Town Council had under consideration any other schemes for augmenting the water supply?—I will not say under consideration, but we have had lots of suggestions. There is, however, really nothing before us.

11624. Has there been any scheme before the Council of the details of which the Council do not consider it advisable to make public?—We have no details of any scheme before us at the present time.

11625. Your consulting engineer, Mr. Stewart, has he any standing commission to suggest schemes for augmenting supply?—He has no standing commission, though we occasionally enquire from him, at least we have done so, as to other likely schemes. We have asked him to make inquiries, but there are objections to the consideration of any scheme by us. In the first place, we have no power to go outside our own boundary; we are not in the same position as other Municipalities. Even the small suburban Municipalities have the power which we do not possess. Therefore for us to take any action outside our boundaries is rather difficult.

11626. *Dr. Gregory.*] The Public Health Act, which gives these powers, applies to you?—We cannot always claim under the Public Health Act. We cannot go and say that our immediate necessities demand that our water supply should be augmented at once. The conditions under which we might claim under the Public Health Act do not really exist so as to enable us to put it into force.

11627. But it is in force?—Not for that particular matter, as I understand it. The information which we have got shows that it would have to be very considerably stretched if we came under its provisions. Perhaps in 10 years we would be so short of water that we would be able to come under the Public Health Act.

11628. But surely you have powers to carry out a scheme under the Public Health Act?—I may say that one of our reasons for desiring the appointment of this Commission was that we thought it might be possible for proposals to come from the Commission which would put the position in a clear light and, in fact, that the

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Commission would be able to recommend the obtaining for a permanent supply of water for Cape Town and the Peninsula of some streams which are well known to exist at no great distance from the city. We thought that this recommendation might lead the Government to introduce such legislation that, whilst protecting what may be termed the riparian owner, and giving him all the water that he is entitled to at the present moment, the rest should be declared public water, and therefore that the people of the city and the Peninsula should not be compelled to pay for that which is running, and would otherwise run, to waste. Mind you, we would have the interests of the people along the stream perfectly protected both in summer and winter. They should be given all the water that they need but we should not be compelled to pay huge sums to any person simply because his farm happened to be upon the stream. We do not possess these powers and that was our object in recommending the establishment of this Commission. We would like this Commission, if possible, to make some such proposals to the Government, to enable us to get that supply of water which will, in the future, be absolutely necessary for the health and comfort of the people, without being unreasonably charged for it.

11629. But Cape Town possesses the same powers as the suburban Municipalities in regard to going outside its own district?—I may have been wrongly informed, but that is my information, that we have not got the power. I believe that if we had understood that we had that power, we should have made a movement at a very much earlier date than this. It was our information that we had no power in that direction.

11630. *Chairman.*] Although you may have the power under the Health Act, the probability is that you would require more powers?—Yes.

11631. The fact is that more power is required to be given to the Municipality, in that behalf, than at present it legally has?—Yes.

11632. And there lies the deficiency in the general legislation on the subject?—It is deficient.

11633. You are quite clear upon the point that the Commission may take it from you that neither the Town Council nor your engineers have any water scheme, so to speak, "up their sleeve" which they do not wish the public generally to know about?—No, we have not, although several suggestions have been made.

11634. You have "a clean slate" upon this matter?—Yes.

11635. And are quite open to any reasonable suggestions that this Commission may make?—Yes.

11636. *Mr. Gurney.*] There is a very common idea with "the man in the street," especially in times of heavy rain like the present, that there is an immense quantity of water running to waste in the Cape Peninsula and Cape Town which ought to be saved. With reference to this source, will you give us any remarks?—We have thought a good deal about that. In the first place, we do not agree with the advisability of placing reservoirs on the face of Table Mountain, especially seeing that the cost would be so very great. At present, with our reservoirs on the top of the mountain, we simply dam up a gorge and we have just one wall to build, but if you had to build reservoirs on the face of the mountain they would have to be complete in themselves. There would be no natural wall for the reservoir, and then if anything went wrong it would be a very serious matter. With the reservoirs on Table Mountain, if anything happened to go wrong there would be no particular damage, because the water could run along through its natural channel and could not do any really serious harm. Where there is water running to waste at the present time the cost of storing it would be prohibitive. Then again it would never really be a satisfactory source of supply. It would be ever so much better if we could have a running stream rather than more reservoirs. We could not make one large reservoir on the face of Table Mountain to impound all these waters. What we should have to have would be a lot of small reservoirs which would be very costly to build and very intricate in their working. Certainly their disadvantages would outweigh their advantages. At any rate it would be far preferable to go in for a permanent scheme and the cost, in the long run, would be smaller.

11637. *Chairman.*] Then really the case is this: that although there is plenty of water running to waste the cost of preserving it would be considerable and the danger would also be great?—Yes, I think that the objections to those reservoirs are very strong.

11638. We see an instance of that in the suburbs where they are constructing a very small reservoir at an enormous cost?—Yes, on the back of the mountain it is equally difficult to build a reservoir. On the top of the mountain we are practically impounding the water in a valley by damming up the narrow end, consequently the work is comparatively cheap.

11639. *Mr. Gurney.*] Has the Town Council given any attention to boring?—No, no serious attention. We had advice from Mr. Wood, the hydraulic engineer,

who was here in 1885 or 1886. I, myself, had frequent conversations with him. He was entirely opposed to boring, as he said that there was no real value to be obtained from it. We have also put some questions to Mr. Stewart, our consulting engineer, on the subject, and we have received similar replies. If we bored a hole it would mean pumping up the water, and the quantity to be obtained would be insufficient at the best. At any rate those are the views which have been put forward. I, personally, have no views on the matter.

11640. *Chairman.*] What is the supply per head per diem that you allow the people of Cape Town under ordinary circumstances?—The consumption works out at from 28 to 30 gallons per head per diem.

11641. Is that amount actually supplied at the present time?—We are actually supplying at the present time 2,312,000 gallons per diem. Of course a portion of this is taken by the Docks to which we supply 243,000 gallons per diem, or 77,000,000 in the year. That was the quantity supplied last year, which is a very large increase over 1898. It is an increase of more than 100 per cent., and whether it will continue or not is a question.

11642. Has the demand for what is called trade purposes increased very much?—It is gradually increasing.

11643. And is it likely to increase in your opinion?—The proportion of the supply is at present put down as follows:—22·4 gallons for domestic purposes; 3·6 gallons for trade purposes, and 2·9 gallons for the Docks. That is the proportion in which the supply of the 28·9 gallons per head per day is calculated to be divided. The increase has been very great during the last few years. Last year the Imperial Military authorities used 50,000,000 gallons for their troops. Of course, we do not expect that to continue.

11644. Have you formed any estimate of what you ought to be working up to for the next 15 or 20 years in Cape Town?—I do not think we ought to consider any scheme which will give anything less than 10,000,000 gallons per day. Anything under that is not worth bothering about The least we ought to go in for is a scheme of those dimensions.

11645. You mean a scheme that could be worked up to that, even if it was not required to produce that amount at once?—Certainly.

11646. Do you mean that supply even in addition to your present supply?—Yes, I would go for a scheme that would work out at that, independent of what we have at present It is not necessary that all that amount should be brought into town at the present time, but it should be possible to work up to that.

11647. *Dr. Gregory.*] You estimate in your evidence that we can run on with our present supply, and the supply under completion, for the next ten years?—I would not give that as a definite statement. It is possible. But under the circumstances of the last two or three years, it is almost impossible to form anything like an accurate idea of the future growth of the city. The circumstances have been so exceptional that we are able to form no basis upon them.

11648. I mentioned the matter because Mr. Roberts, your engineer, is rather of opinion that a fresh supply should be sought and the works for bringing it in should be undertaken immediately?—I think, with him, that the construction of a water supply system is a matter that takes a long time and we ought to put it in hand as soon as possible. He is certainly quite right in his remarks, and I am not anxious to postpone any action. My own opinion, however, is that we have now a fair supply for perhaps the next ten years to come.

11649. Mr. Roberts seemed to think that, even with the second reservoir in good working order, the city would be in the same position as it was last summer within two or three years' time?—It is purely a matter of opinion. He may be basing his calculations upon the exceptional circumstances which we have been passing through. I am, however, quite at one with him that no delay should take place.

11650. *Chairman.*] I think that Mr. Roberts based his calculation on the assumption that it would be absolutely necessary to store water for seven months' supply.—I think quite six months should be provided for by storage.

11651. That is if you have no permanent running supply?—That is so.

11652. *Dr. Gregory.*] You say that your second reservoir is going to cost you about 75 per cent. more than was originally estimated?—Pretty nearly, I suppose.

11653. And you state that that increased cost is partly due to the increased cost of labour and material?—Partly.

11654. What is the main cause of the extra expenditure that would be necessary? — When the reservoir was authorised, we had sections before us showing the extent to which the foundations for the dam were to be carried. As the excavations for the foundations were being made, there was one place found to be soft. The result was that the engineer considered it necessary to go to a considerable depth in filling up

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this soft place, because he did not feel justified in putting down a foundation where there was a fault and where there would be possible serious leakage. It was estimated that the further cost of repairing this fault would be £35,000. As you are aware, it has been most difficult to get labour. The coloured labour, which is largely used on the mountain, the work being principally excavation work and the throwing of concrete into the hole, has been especially difficult to obtain. It has been most costly, and its scarcity has seriously retarded the work. I had been in the hope that we should have been able to use the new reservoir by the end of the coming summer, but I am afraid that is now out of the question. We did authorise Mr. Stewart to offer an extra inducement to get men to work upon the mountain, but that has not been very successful. The report of Mr. Stewart on the probable final cost of the work has not yet been before the Council, but I may say that it is likely to cost us an increase of at least £40,000, practically attributable to increased cost of labour and material. That will mean, altogether, a total of £192,000, or you may put it down in round figures at £200,000 as the final cost of the work.

11655. Then you put it that the increased cost is due to the extent of £35,000 for the soft bottom and £40,000 for increased cost of labour and material?—That is the estimate at present.

11656. When your engineer estimated for the cost of the reservoir, did he take borings to ascertain the nature of the ground upon which he was going to put his foundations?—I do not know about that. The other reservoir was built entirely under his control, and I presume that he ought to have known from his experience what he had to contend with. Of course it must not be forgotten that this soft part is only about 100 feet long, and I can quite understand that borings might have been made without it having been come across. The wall is of an enormous length and a dozen bore holes might have been put down along its extent without coming across this soft spot.

11657. What length does the soft spot bear in proportion to the length of the wall?—Very small. I imagine that the soft spot is about 100 feet in length whilst the wall is about 2,000 feet in length. I do not exactly know the length of the wall but that is what I estimate it to be. It happens, most unfortunately, that this spot is pretty well in the centre of the wall, at its most important point.

11658. Has it been ascertained how deep it goes?—The work in connection with this soft part has been finished and it is now filled up again with concrete. The hole was dug out to a great depth—I believe 60 or 70 feet—and then was filled up with concrete. You can imagine that it was an enormous quantity.

11659. I understand you are in favour of a large scheme to satisfy the whole of the requirements of the Peninsula as well as of Cape Town?—Of course, Cape Town will have to look after water itself, but I believe that the idea, at the time at all events, was that if any scheme was introduced to supply all the Municipalities we would undertake the work and supply the others with the water. This, of course, is all a matter for amicable arrangement. If, on the other hand, it was agreed that there should be amalgamation for the purpose of water supply we would be quite in favour of coming to an understanding to take from any amalgamated body what water we required.

11660. You would be prepared to take water from either a combined authority or you would be prepared to run a scheme entirely by yourselves?—If we could get the water we would not be averse to that.

11661. You would not stand in the way by saying that this water scheme must be run by Cape Town solely?—I do not think that that would constitute a difficulty with us, only we would not want our present water supply interfered with.

11662. You spoke about amalgamation just now. Were you thinking more of a general amalgamation?—Yes, of the suburban Municipalities.

11663. But would you be prepared, assuming that a general amalgamation did not take place, to have an amalgamation of water interests under a joint authority?—I do not think we should be prepared to allow any interference with our present system. But there is just this point—that if a Board was formed to control a large supply of water, and Cape Town required water, we would be prepared to take additional water from that Board. At the same time we would not be prepared to hand over our water system entirely to that Board.

WEDNESDAY, 11TH JUNE, 1902.

Present :

Sir W. BISSET BERRY (*Chairman*).

Dr. A. J. GREGORY.	Mr. W. E. GURNEY.
Dr. A. J. ANDERSON.	

Mr. Thomas Ball, C.M.G., further examined.

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11664. *Chairman.*] We will now proceed with your evidence, Mr. Ball, from where you left off yesterday?—Yes; but before you go on, Mr. Chairman, I would like to correct what appears, from the newspaper reports, to have been an erroneous impression left by my evidence yesterday when I made reference to our system of bookkeeping. From the reports, it would appear that I conveyed the impression that I considered that there was no need at all for any change in our present system of bookkeeping. I don't think I made that assertion. As far as I remember, I stated, in answer to a question on that point, that we had not suffered any loss from the present system, but that such expansion has taken place in the business of the Council that some change of our system of bookkeeping might be desirable. I may say we have debated the matter, but we have been reluctant to make any change so far. At the same time, as I say, the business has grown to such an extent that a change might be necessary.

11665. *Mr. Gurney.*] But you fully recognise the necessity of keeping within the lines as laid down by the Act of Parliament?—Oh, yes; we are bound to do that, of course.

11666. *Chairman.*] I think we nearly finished the subject of water and water schemes yesterday, but is there anything that you wish to add on that subject?—So far as the schemes themselves are concerned, of course, I have nothing to add. You got, I suppose, pretty well all the details, as regards that, from the City Engineer. You know our charges for the water, but I don't know whether you know the cost of the water itself. Any further information on that point I would be quite prepared to submit to you.

11667. As I said yesterday, we have pretty well all the details of the Cape Town distribution from Mr. Roberts?—Yes; we are, of course, under an obligation, according to an Act of Parliament, to supply Sea Point to their mains, but we have gone far beyond that by laying our own mains within the Municipality of Sea Point, and practically giving them the same facilities which we give our own people in Cape Town, by taking the whole of the liability of the cost. So far as the supply of the water to the inhabitants is concerned, we are actually supplying it to them at less than what it costs us. That is rather important, because many people are under the impression that we are making large profits out of our supply of water for domestic purposes.

11668. And under the head of cost, what do you include?—We include construction and maintenance, and the work, generally speaking, in connection with the keeping up of the water department.

11669. Do you include the interest of the money being expended upon the construction of the new reservoir?—Oh, yes, certainly; we must do that.

11670. *Mr. Gurney.*] The profit that you have made on water has been through the heavy charges made to the shipping people and to the Railway Department?—Well, the Railway Department really take a nominal quantity—last year, I believe, they only used something like 9,000,000 gallons.

11671. That is owing to the heavy cost?—We offered to supply them for trade purposes at one shilling and sixpence per thousand gallons. That is the charge by meter, and even for domestic purposes that is the charge through the meter; whereas under the ordinary dribble system the people get the water for something over one shilling. With regard to the supply to the Harbour Board, the Council only charge one shilling per ton, but the Harbour Board charged three shillings per ton to the shipping people, so that the profit was put into the pockets of the Harbour Board. I consider that any profit that is to be made should go to the Cape Town Council, for the benefit of the ratepayers who have undertaken the responsibility. That was also the view of the Council, who took that as one of the reasons for raising the charge. But, notwithstanding that we raised our charge from one shilling to two shillings, the Harbour Board, whose charge remains the

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same, makes a very large profit still by the one shilling, which they charge now for the delivery of the water. We should be prepared to reduce those charges—although in that respect we stand very favourably, as compared with other countries—but we object to hand the profits over to another department. We contend that, as long as the Council undertakes the liability for the water supply, the profits should come to the Council.

11672. *Chairman.*] Is that profit, accruing to the Harbour Board, also obtainable in the case of delivery to ships in the bay?—Yes, they charge one shilling for delivery.

11673. Is that in the Bay?—No; in the Docks.

11674. And what is their charge in the Bay?—I think they charge one shilling and sixpence, extra, per ton, for ships in the Bay. I don't exactly know what their charge is, but they have a certain fixed charge. Up to 1900 we charged only one shilling per ton, which paid us very well, but we had to increase our charges all round. The inhabitants, at that time, only paid something like 30s. or 35s. per 100 gallons per day.

11675. *Mr. Gurney.*] The cost in connection with the Table Mountain Woodhead Reservoir has been up to the 30th June, according to the Mayor's Minute, £140,469?—Yes.

11676. Can you tell us the total amount which has been spent on the waterworks?—Close upon £500,000. That is to say, we have borrowed that money, upon which we are paying interest, although it has not all been spent up to the present time.

11677. The return shews £474,925?—Yes, that has been actually expended, but there is a large balance, which is still to be spent and on which we are paying interest.

11678. Does the amount actually expended include what is spent on the reservoir now being constructed?—Oh, yes.

11679. And those figures are correct?—I think they are pretty correct.

11680. Can you tell us, in the form of percentage, what the waterworks are now paying, in the shape of interest, on all charges? What percentage they are paying on the capital invested?—No, I cannot tell you. It is only recently that we have been able to get at the value of our pipes. The money was voted, from time to time, and no further particular notice was taken of it, so far as the interest, or sinking fund, was concerned. All these amounts expended, from time to time, would have to be added, as capital account, and we have lately been trying to get at the value of our pipes.

11681. Has the condition of these pipes to be taken into consideration?—Oh, yes, that is allowed for. Of course, we find out the number of them that have been done, and then we try to get at the life of the pipes, as near as possible.

11682. *Chairman.*] Under the heading of drainage and sanitary systems, we had very full evidence from Mr. Rigby, and perhaps, there is hardly anything that you could supplement that evidence with?—I should imagine that he gave you a very full account of that matter. I have not seen his evidence, but he could give you the information very much better than any one else.

11683. He said that your drainage was practically complete?—Yes, with the exception of the outfall.

11684. He also stated that it was your object to carry the outfall further out to sea, in order to get a depth of water, at the point of final discharge, of something like fifteen feet?—Yes; we should have been further, but we have to study the weather, which is the only thing that affects us now, as regards the completion of the work.

11685. The work is now in progress?—Yes. I think, at the present time, there are only about 20 houses which are not connected with the main drainage system. The rate at which our drainage has proceeded can be seen from the fact that we have very considerably reduced the cost of night soil removal. This item has been reduced from £7,000 to £300 per annum. That shows what a small quantity of night soil is being disposed of under the old system.

11686. You are at present still carrying that out at a cost of about £300 per annum?—Yes.

11687. Is that done by your own department?—By a contractor—the same one who has been doing the work for years.

11688. Is that Bessell?—Yes.

11689. And where does he deposit the stuff?—On ground of his own.

11690. Out on the Flats?—Yes.

11691. You have no Inspector for going out there, I suppose?—We only have Inspectors, as far as I know, in the town, and we don't have it inspected after it leaves the town.

11692. There seems to be no Inspector at the place where the discharge takes place at all?—The discharge takes place outside our boundaries, otherwise it would be inspected.

11693. Under what Board would the control of that part of the Peninsula be?—It belongs to the Health Department.

11694. The only local authority would be the Divisional Council?—Yes.

11695. How soon do you expect that you will be able to dispense with that part of the sanitary system. I think we ought to be able to dispense with it by the end of this year. I don't think that it ought to continue longer. The difficulty, however, of the Council is this, that the application of a man, wishing to build a house a very long distanee away from the main, eannot very well be refused. In such a case, of course, the old system would have to remain, as it would be too expensive to undertake the drainage of such an out of the way place. We are trying our utmost though to insist upon drains and roads being made, where buildings are proposed, so as to do away with the refuse removal entirely. We are pushing that forward, and we have been fairly successful.

11696. Is that with reference to lands recently occupied for building purposes?—Some are not recent, and have been so occupied for some time, which do not come under our present requirements, unless they are subdivided. When the lands are subdivided, the Council first of all get the plans before them before they approve of the proposed subdivision. The Council then only sanction it, on the condition that the drains are put in and that the roads are made before any building is allowed to take place upon such land. That the Council could enforce now; we insist upon that and, generally speaking, there is no difficulty. We contribute either one-third or one-half towards the construction. Estates that are subdivided at the present time would have to pay two-thirds of the cost, whereas estates that have been subdivided before the passing of the Act pay one-half.

11697. But you are gradually working that off altogether?—Oh, yes.

11698. And it would be very much to your advantage to have it worked off altogether?—Oh, yes; we want to dispense with the old system of the night-soil removal altogether.

11699. That £300 that you speak of as being expended under the old system per annum, would you get an equivalent receipt for that?—Oh, yes, that is kept separate entirely. A contract is made, from time to time, which is carefully altered as the work diminishes. We have reduced the period from three years down to one year, and so on.

11700. The individual persons for whom this service is supplied, do they pay a special charge for it?—Oh, no; it is all done free.

11701. That is included in their general rate?—Yes.

11702. You regard this service as a set-off against the service rendered by the drainage to others?—They don't contribute in any form. We had an old system of charging one shilling or two shillings for each removal, but we found that it was detrimental to the general health of the City people. We therefore resolved that it should be removed free of cost, so that the people should have no reason for delaying to report when their tubs want removing. I am firmly of opinion that that is the very best system to have—that is to say, a free removal—where no other drainage exists.

11703. The point I was wanting to get at was this: that the owner whose house is properly drained pays for the drainage in the form of rates, there being no special charge?—Yes.

11704. The man, who has the old sanitary arrangements supplied to him, pays the same as the man who has his drainage supplied?—Except that the one property would be valued higher, in consequence of having a drainage system.

11705. If you levy a general rate, everyone has to pay it?—Oh, yes.

11706. And the cost of the sanitary removal is included in that?—Yes, there is no further charge.

11707. *Dr. Gregory.*] In order to bring outlying dwellings into the drainage scheme, would it not be wise to make them pay a special rate for sanitary removals?—We have so few in our Municipality now, that it would not be worth the trouble. We do extend, as far as we possibly can, to meet them.

11708. What is the total cost of your sewerage scheme, not the stormwater?—I think the estimate of the sewerage scheme was £262,000.

11709. And what is the annual charge for interest and sinking fund on that?—Well, you see we have several loans, and I don't know whether this one comes under the four per cent. loan, or under the 3½ per cent. loan. We have loans of different values, but you have the particulars in the Mayor's Minute. The figures that I have made a note of, have been taken out of the Mayor's Minute; it is given there at £262,000, and, I think, the work is likely to be carried out to its completion within that estimate. The amount I have given is according to our estimates and according to our loans. On the stormwater of course we have expended £100,000.

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11710. You cannot tell us roughly what is the annual charge on your sewerage scheme? I see there is a saving under stercus removal of £7,000?—The fact is that we have a pumping station, where we have a Shone ejector constantly at work for the lower areas. The expenditure of the pumping you have to take into account in arriving at any actual saving, and therefore I am afraid that there is no actual saving.

11711. Within your knowledge, has the Cape Town Council been approached by the Woodstock Council, with a view to receiving the Woodstock drainage into your sewers?—I do not know of any such proposal to the City Council myself.

11712. Could you give us any idea as to how a proposal would probably be received by the Cape Town Council, for taking the sewage of the Woodstock Municipality or of the other Municipalities in the Peninsula?—Of course, it would almost entirely depend upon expert evidence, as to whether we are in a position receive it or not. So far as our willingness is concerned there would be no difficulty, but, of course, Woodstock would have to contribute some portion of the expenditure of the main drainage to the outfall, if the privilege were granted them to discharge their sewage into our main. Then the question would resolve itself into whether the outfall, as at present constructed, is capable of carrying the Woodstock sewage, and that would be a matter of expert evidence.

11713. Assuming that an economical arrangement could be made for the discharge of the sewage of Woodstock and other Suburban Municipalities into the Cape Town intercepting sewer and outfall, you, as one of the Council, would be prepared to support that?—Oh, yes; I would give them every consideration, but it would be only fair that they should bear some portion of the outlay, With that provision, I should be quite prepared to assist them in every possible way. It is, however, purely a question for experts.

11714. Was the question considered of combining the Cape Town sewerage scheme with the Sea Point sewerage scheme?—No, we were never approached on that question, not during my time, at all events.

11715. Don't you think it is a pity that one combined scheme was not carried out for these two areas?—I do think so.

11716. Does it not strike you as being a waste of money to have two outfalls in near proximity to one another?—Yes, it certainly was not necessary, to say the least of it. There should have been one system and I see no reason whatever for the two. I believe it could have been advantageously worked. Of course the circumstances of Sea Point are such as to fit in with our system.

11717. And would you be prepared to support any arrangement, which led to a combination in such a matter as the sewerage of the Peninsula?—Do you mean to connect the sewerage of the Peninsula with our outfall?

11718. Yes.—Under reasonable circumstances, of course. I am not opposed to the principle. It is purely a question of arrangement, and of expert evidence; and if expert evidence says that our sewers are capable of carrying all the sewage of the other Municipalities, then it becomes purely a matter of arrangement, and then it would not be objected to by me, as a Councillor.

11719. You are aware, are you not, that the levels of the lower part of Woodstock are such as to make it very difficult to get a suitable outfall into the Bay?—I believe that is so, and we have had that difficulty ourselves with our own sewers.

11720. And therefore, no matter what is done with the sewage from the upper portion of Woodstock and from the other Peninsula Municipalities, it is certain that pumping will have to be done for the lower portion?—Yes, that is if they are going to discharge their sewage into the sea.

11721. And your Council would be prepared, you think, to undertake the pumping, and to carry it all out under one management, provided, of course, you lost no money by it?—Well, I am not going quite so far as that, because we should want some responsibility to be undertaken by the other Municipalities in the carrying out of the work. There is no reason why we should involve ourselves in a considerable amount of work and trouble and, besides, undertake the whole liability for the convenience of other people. I don't think that would be a fair and reasonable thing to expect from us. We are, however, prepared to give them every consideration.

11722. Still, you would consider it a waste of money if there were two pumping arrangements going on in close proximity to one another like that?—Oh, yes.

11723. You would see no difficulty in all the sewerage schemes of the Peninsula being under one control, would you?—No, I see no difficulty.

11724. *Chairman.*] May I just read to you a little bit of evidence given by Mr. Rigby on the points raised by Dr. Gregory, so that you can tell me whether you agree with what Mr. Rigby stated, or not? The evidence is as follows:—[*Questions* 9243–50.]

"For what population has your sewer been constructed ?—120,000 people. It would, of course, take more, but that is on the assumption that it is running half full.

"Do you mean to say half full on the population basis of 120,000 people ?—Yes, wet weather flow.

"Then it would be more problematical still whether it would take the sewage of another 120,000 people ?—It is quite certain that it would not be able to do that.

"You would not contemplate bringing the sewage—dry weather flow and wet weather flow—from the suburbs, without entertaining the question of rebuilding the sewer ?—No ; not from the whole of the suburbs.

"Even with your 4 feet 6 inch diameter sewer ?—No ; we should have to enlarge the tunnel and that would be very costly work.

"Almost as costly, I suppose, as making a fresh tunnel ?—Yes.

"Besides the inconvenience of doing it ?—Yes.

"It would become a question, almost, of whether it would not be better to make a new outfall altogether, if it were absolutely necessary to bring the sewage from the suburbs ?—Yes."

Have you anything to say about that ?—Well, Mr. Rigby is an expert, and he points out the difficulties. He says that the sewer, as constructed, will carry the sewage for a certain number of persons. If you go beyond that number you would, of course, require to enlarge. I also quite understand his pointing out that it would be a very costly matter, because our tunnel, there, has had to be driven through hard solid rock, from Mouille Point right down to Adderley Street. Therefore, if you had to construct another tunnel it would be very costly, but the question, after all, is, whether it would be worth it, or not. The whole system seems to have cost us, so far as sewerage is concerned, £262,000, and a portion of that has really gone into the outfall, that is to say, the main drain, which Mr. Rigby speaks of, as being incapable of carrying away the whole of the sewage for the Peninsula.

11725. We did get figures on that head from Mr. Rigby, so that we need not go into that now ?—Well, Mr. Rigby is an expert, and, I daresay, he would have given you the correct figures. He is a gentleman in whom the Council has every confidence.

11726. In the matter of streets and roads, Mr. Ball. I suppose there is nothing special that you wish to bring to our attention. The streets of Cape Town are not very first class, especially in these latter days, but we all live in hopes of better things coming ?—Yes, and if you could devise any macadam that will stand the traffic better on our roads than the macadam we have at present, we should be very glad.

11727. Now, with regard to road rates payable to the Divisional Council, I believe you have some evidence to give on that point, have you not ? You pay very heavy rates to the Divisional Council, do you not ?—We pay a large proportion, of course, to the Divisional Council, in consequence of our high valuations. Last year—1901—we paid £24,742 out of a total of £47,000. That is to say, Cape Town alone paid that amount.

11728. And for the current year it is given at £22,668 ?—Of course, it is a lower rate this year.

11729. It is 5/8ths of a penny, is it not ?—Yes.

11730. Now, would you explain to the Commission in what way you have received certain monies back again from the Divisional Council ?—We are supposed to receive something like £4,000, but we really get only about £2,500. That is, according to the amount that we spend upon the maintenance of the roads.

11731. It is not a solid grant ?—No, there is one main road which ought to be kept by the Divisional Council, but which is maintained by the Municipality themselves, and, whatever is spent upon that, we have a right to claim from them. That is up to a limit of £4,000. The actual amount that Cape Town is entitled to receive from the Divisional Council is £4,175 5s. 7d., but we have only received £2,277. That was the last sum. I presume that it is based on the amount of money that we spend upon the roads, but I am not quite clear upon that point. The Divisional Council do no repairs whatever in the Cape Town Municipality.

11732. They don't come into your Municipality at all ?—No.

11733. Have you any views with reference to a change in the system of the maintenance or construction of roads by the Divisional Council within Municipal areas ?—My own opinion is that the Municipalities ought to undertake all the roads within their areas, that is to say, their maintenance and construction.

11734. There have been several conferences of delegates, with a view to coming to some understanding upon that matter, have there not ?—Yes.

11735. Now, the resolutions were adopted by the delegates with the proviso that they should be referred to the individual Councils for their consideration ?—Yes.

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11736. Have the Cape Town Council considered these?—They adopted them.

11737. What is your view with reference to the rating of the property outside the Municipalities? Do you think that the valuation is a fair one, comparatively speaking?—I think not. The total outside rates amount only to £2,839 out of £47,000, and, with the enormous outside area, I think there must be an absurd valuation somewhere. The total valuation is put down at £681,390, outside the Municipal areas, which gave us a rate, in 1901, of £2,839 only out of a total rate of £47,000. If you look at the mileage which the outside area covers, it shews that the valuation must be absurd. At any rate, I will say, it is not fair to the centres.

11738. The resolutions adopted by these delegates contemplate a contribution by the Municipalities towards the maintenance of these outside roads, do they not?—Yes, for a period, but, I must say, that, with regard to the taking over of the roads by the Municipality, there was by no means unanimity.

11739. Is it your individual view that this contribution should be made?—Yes, for a period—at least of ten years—I think the city should contribute a certain sum, which should not be levied as a rate at all, but it should be a stipulated sum towards the maintenance of the outside roads. I don't think it would be fair to place the whole burden of the upkeep of these roads upon the outside properties at the present time. All the Municipalities should contribute in proportion to their valuations. As a matter of fact, I think, £16,000 is the sum which really should be contributed after taking over the roads inside the Municipal areas; that is, assuming, of course, that all the Municipalities take over the roads within their areas and maintain and construct them out of the funds of the Councils.

11740. On what do you base that amount?—I base it upon the figures that you have before you.

11741. They spend about that amount on the upkeep of the roads, don't they?—Yes.

11742. What proportion of that, do you think, ought to be borne by the Municipalities?—Well, I think, so far as the city is concerned, it should make a contribution of not less than £5,000 per annum, for a period of 10 years; and the other Municipalities should contribute, in proportion to that sum, according to the valuations within their respective areas. If that were done, I think there would be sufficient money to meet the £16,000, and if a fairer valuation, as well, were put upon the outside property, which, I think, should bring in about £6,000; the remainder of £10,000 should be divided between Cape Town and the suburban Municipalities. After the expiration of the 10 years, the question should be re-considered, as to whether these roads could not then be maintained, entirely, at the cost of the outside properties.

11743. That would be, in proportion, two-fifths for the outside properties and three-fifths for the Municipalities?—Yes, £6,000 for the outside properties and £10,000 for the Municipalities; that would make that proportion, approximately. Of course, in addition to that contribution by the Municipalities, it would be necessary that they should be represented on the Board.

11744. But it would be necessary to make some such provision as the one you suggest—that the contribution from the united Municipalities should not exceed a certain proportion?—Certainly.

11745. You would require to do that, in order to bring up the rateable value of or the rate to be levied on the outside properties?—Yes.

11746. And then the proper maintenance of the outside roads might be insisted upon through a system of Government inspection?—Yes.

11747. In addition to that you suggest that the Municipalities should be represented on the Divisional Council?—Yes, I think the Board requires a little alteration in that respect.

11748. We will come to the consideration of the constitution of the Divisional Council presently. You think, in respect of this contribution, that the Municipalities, either as one constituent body or as separate units, should be represented on the Divisional Council?—Yes.

11749. And do you think the representatives chosen should be elected by the ratepayers direct, or by the Municipal Councils?—By the Councils, I think.

11750. On the ground that the contribution is made in lump by the Boards?—Yes, instead of levying a rate especially for the purpose.

11751. And then, that would mean that the Municipalities concerned should have additional powers of rating, in order to make up that sum?—Well, I don't think that there is an absolute necessity for that myself.

11752. How would they make up the money?—Well, if you look over the list here you will see that it is only in one or two instances that it might be required. Claremont, for instance, contributes £4,885 13s. 10d. and, for the period dealt with, the expenditure inside Claremont area appears to have been £1,353; so that it leaves them to the good about £3,500.

11753. You don't see my point?—Oh yes, now I see what you mean. Of course, they would require extra power of taxation in order to make up the rate. That would be necessary where they are limited. I don't think, however, that anything of the kind would be necessary in Cape Town, because with the values existing at present, we could take it out of our present funds. We have the power to go up to 4d. in the £, and we are only levying a rate of $2\frac{3}{4}$d. in the £. My hope is that we will not rise above that, but, if necessary, we could increase the rate.

11754. Now, at your Conference, there was another proviso to the resolutions passed, namely, that certain Municipalities, such as Kalk Bay, Simon's Town and Maitland should receive special consideration?—Yes, quite so. These Municipalities have such a long mileage of roads that they are really not in a position to maintain them, and that is why they should receive special contributions.

11755. Was it at all suggested in what way that contribution should be made? Was it suggested that those Municipalities should also have to maintain the Divisional Council roads passing through their boundaries and receive a grant in aid?—That was the idea, namely, that they should receive a grant, because they are not in a position, owing to the fact that their properties are very small, and their income consequently not large, to maintain such a long mileage of road, for the maintenance of which they should receive a special contribution.

11756. And that would come out of this arrangement that you propose?—Yes, out of the contributions made by the Municipalities. The proposition is that Simon's Town, Kalk Bay, and Maitland should make no contribution.

11757. No special contribution, but still they would be liable for the amount which the Divisional Council, at present, raises from them?—That would be taken into consideration; they would have to maintain the roads, and the expenditure in connection with those roads would more than absorb any amount that they pay to the Divisional Council. In addition to that, I consider they should receive something from the general contributions made by the city and the suburban Municipalities to enable them to look after these roads. I consider that, beyond Wynberg, all the Municipalities would require some assistance in that respect.

11758. And you think some such arrangement should be entered into for ten years, subject to revision at the end of that time?—Yes.

11759. Where do you get your road metalling from at the present time?—The road metalling for the city we get from our own quarries. The question of road material is one which would have to be considered if the suburban Municipalities take over the Divisional roads within their areas. The same right, which the Divisional Council at present enjoys, would have to be conferred upon those Municipalities, so as to enable them to obtain from the same source from which the Divisional Council at present obtain their material, a supply of macadam for these roads. That is to say, if the Municipalities take over the maintenance of these roads they must get that power As far as Cape Town is concerned, we have our own quarry.

11760. Is the macadam from the Cape Town quarry equal to the macadam which the Divisional Council generally put on the roads?—Our macadam is better. The Divisional Council, chiefly, use sandstone. Our stone is a hard blue stone, which is far superior.

11761. Have they not a quarry near Elsjes Bay, where they get very hard stone for the roads?—I don't know. I have only seen sand stone. If we could secure anything better than we have at present, at a reasonable cost, we should be very glad to take it.

11762. What has been the general effect of the tramways upon your streets and roads? Have you had to pay more for street maintenance since the tramways came into existence?—I don't think they affect us very seriously. The heavy engines, which pass over our roads, destroy them. It is not the tramway, but the ordinary traffic. Our macadam cannot be expected to stand a fifteen ton engine, which is constantly passing over them. I think it would be difficult to get any macadam to stand very long for such engines carrying perhaps a load of twenty tons behind them, all traversing in the same groove. The only way would be either to reduce the weight of these engines, or to pave the streets with granite blocks entirely. I don't think that the citizens would care to have the streets paved, as the noise would be too great.

11763. Would the noise be the principal objection?—Oh, yes; but of course you would have to consider the very heavy expenditure in connection with it. As a matter of fact we contemplate paving the Dock Road.

11764. Within the near future?—Oh, yes.

11765. *Mr. Gurney.*] Has the question of entire wood paving ever been discussed?—Yes, but we don't think that it would stand the traffic.

11766. Does it not stand the traffic very well in some of the cities of Europe?—Yes, but you have not the heavy traffic there over those streets that we have here.

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11767. *Dr. Gregory.*] Have you not laid down trial lengths of different kinds of pavings?—No, the traction engine is the type of traffic which gives us the greatest difficulty. We could overcome that if we had the power to insist upon the loads being reduced, but we have not the power, and, therefore, we have no means of diminishing in that respect the destruction of our roads. The ribs on the wheels of these traction engines destroy the roads very much, and, if we had the power to deal with traction engines, we could say to these people, "You can use the traction engines but you must take off the ribs."

11768. But you have the power to license vehicles plying for hire?—Yes, but that does not refer to traction engines.

11769. But could you not make that a condition of your licences?—The traction engines are not licensed at all; we have not the power to license them.

11770. But you admit that you have the power to license vehicles?—Oh, yes, but not traction engines. I can assure you, if we had the power, we would have done so years ago.

11771. With regard to street sweeping and scavenging, will you tell the Commission how that is done? You will remember that the question came up at the time of the plague as to the condition of the streets of Cape Town?—Well, we have a large staff, I think, about 200 men, employed. The material that we cart away is very heavy, and it has gone up very considerably within the last three years. The refuse now amounts to 26,616 tons, and that is an increase of 6,300 tons per annum in 3 years for street sweeping.

11772. That is a total increase of how much?—20,000 tons in three years.

11773. And to what extent has your staff increased in 3 years?—Nearly double, at least, quite one-third more.

11774. And what was your scavenging originally, say 3 years ago?—We had 20,000 tons of refuse 3 years ago, and street sweepings 12,000 tons, 3 years ago.

11775. It has gone up more than 50 per cent.?—Yes, so far as street sweepings is concerned, but the other has not gone up so much.

11776. And you consider your staff has kept pace with your scavenging?—Oh, yes, quite that.

11777. Although it has not increased to the extent that the amount of refuse removed has increased, because you say it has only been increased by about one third?—Yes.

11778. And the amount of your refuse has increased about 50 per cent.?—Yes, that is the street sweeping.

11779. No, that is 100 per cent.?—Yes.

11780. And the other 30 per cent, so that the average would be about 50 per cent.?—Yes, the average would be that. We have got a large enough staff for the work done, there is no doubt about that.

11781. Do you consider, from your own experience, that the scavenging from the streets themselves and from the alleys has been satisfactory?—Well, that there is no possible improvement to be made it would not be wise to say. But I consider that on the whole they are fairly well kept.

11782. But did you not say that they compare very favourably with European cities?—Yes, I do say that.

11783. Do you mean the Cape Town streets?—Yes; I have travelled a good deal in my time, and I am very well satisfied with the condition of Cape Town as compared with most cities, not only in England, but also on the Continent.

11784. What cities do you compare it with?—Well, I don't care whether it is with cities on the Continent or in England. It compares favourably with either. Of course London must be left out, because its streets are nearly all paved. That is a special thing. Taking, however, the ordinary cities elsewhere, I consider that Cape Town shows a very creditable state of things as compared with them.

11785. As far as refuse and rubbish are concerned?—Oh yes. The refuse is not even collected in London as often as it is done here. I believe, they only collect once a week, whereas we do it every day. Ours is enormous, compared with other countries.

11786. Do you consider it necessary to collect house refuse every day?—Yes, at the present time, in this country, it is necessary.

11787. Before the plague, how often used you to collect it?—Every day.

11788. Was there no change made then in the frequency of the scavenging when the plague broke out?—No, but of course we used a special staff, for the time being.

11789. It was not my impression that there was then a daily call at every house?—Oh yes, it has been a rule laid down by the Council, ever since the Council have taken over the matter themselves.

11790. What becomes of your refuse after you have removed it?—We simply deposit it on to the railway trucks.

11791. And what becomes of it after that?—I believe it goes to the Flats I believe there is an agreement which we have with the Government for taking the refuse away for a period of five years, and all we do is to see that it gets placed on the trucks.

11792. And you are ignorant of where it goes to?—I know that it goes to the Flats.

11793. You are aware, are you not, that very serious complaints have arisen from time to time in regard to what has become of the Cape Town refuse?—Oh, yes.

11794. And that the Government had to step in, provide a site and look after the thing generally?—They did so, but, of course, the Council had no power.

11795. It was tipped, was it not, at Maitland?—The arrangement was that the Council had to place the refuse into the trucks at the Railway Station, and after that the contractor was responsible for wherever it went to. If he took it outside our boundaries, then, of course, we had no power.

11796. As a matter of fact, the Cape Town Council did not very much mind where it went to?—We are not quite so bad as that. If representations were made to us that the refuse from Cape Town was dangerous to health, where it was deposited, the Council would have considered the matter.

11797. But it did result in a serious condition of things in regard to health?—I don't know that it did. It was complained against, but I don't know that any danger has been proved to have arisen from it; at any rate, I have not seen any evidence to the effect that such has been the case. I don't know of any particular case of disease arising from it.

11798. But you don't require an actual case of disease to be traced to an act, in order to prove that it is a danger to health?—Well, theories go a long way sometimes, but it would be necessary to prove that actual danger has arisen. Of course, I admit that in theory it would be wrong, although no actual case of disease had been proved.

11799. Still, you would be prepared to accept the opinion of experts that it was a danger to health and had proved so, would you not?—I would not dispute with experts upon matters of opinion, because there are a great many things which are a danger to health in theory; that experts would tell us, but we know also that evidence would be wanting to prove the accuracy of the theory in many instances. Still, I would not argue against that position, if there is any danger connected with it.

11800. Then the fact that this refuse is removed from Cape Town, like that, really does not trouble the Council very much?—Oh, but it does trouble us.

11801. After it has once passed your boundary, I mean?—Oh, yes.

11802. That fact rather points to the desirability of one controlling authority for all these areas?—I think that, so far as that goes, it does.

11803. Then you admit that there seems to be something wrong in the action of one local authority jeopardising another local authority?—Yes, I don't think it ought to be able to do so.

11804. Has the question of destroying your refuse by a destructor been discussed?—Oh yes, long before I became a member of the Council.

11805. That is over six years ago?—Yes.

11806. And how far has the subject advanced?—To this position, that we have now the right to raise a loan of £40,000 for the purpose.

11807. When did you acquire that right?—The ratepayers gave us the right last year, but of course the trouble has been, as regards the destructor, with reference to its suitability. The question is, whether there would be very much consumption of coal, or whether our refuse is of such a nature that it would supply sufficient cinder without the use of coal. We have not been able to get any of the firms whom we have approached to guarantee that the destructor would give satisfaction; so that we have not come to any decision upon the matter, but we have got so far that we have the right to raise the money, and all we have to decide now is the question of adopting the best system of destructor which is in existence at the present time. When I was in England, I went specially to Bradford to see the destructor there, and I came to the conclusion that we could introduce it into the Colony, provided we had a suitable site.

11808. I was going to put that question to you—have you got a suitable site?—That is our trouble.

11809. So that it really becomes necessary to obtain a site outside the Cape Town Municipality?—People have a great objection to the thought of a destructor being put up here, but, when I was at Bradford, I did not discover that there were any very serious nuisances arising from their destructor, which was in a fairly thickly populated part of the city. Some of the matter that was destroyed was destroyed by other means, and again sold as manure to great advantage.

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11810. In the course of your enquiries, I suppose, you have come to the conclusion that it would be cheaper to work it on a large scale than on a small scale?—Certainly, it would be cheaper, but, I think, it would be necessary to have more than one. It would be necessary to have several. In other parts they find it convenient to have more than one, and I think our area here would be too large for one. Still, some provision, I consider, should be made for the getting rid of the refuse in the Peninsula.

11811. You really are of opinion that it is a matter in connection with which there should be some combined action?—Oh yes, because look at the trouble the Sea Point people have with their refuse, having to dump it on the foreshore.

11812. And, without any desire to consider that any Council is doing other than its best, better results could be obtained if there were combination?—Oh, yes, I think so, at all events, within reasonable distance, something should be done in that direction.

11813. Now, with regard to road-making. From your experience, gained in Cape Town, do you think that that is a matter that could be better worked by combined action of the Municipalities?—I do. I don't know, however, whether you are referring to the construction only.

11814. I am referring to construction now?—I don't know that there is any very great advantage, so far as the construction itself is concerned, but if you are speaking of the width of the roads, and so on, then combination is absolutely necessary. I will take Sea Point again. That beautiful suburb has, to my mind, been altogether spoilt: owing to the people getting their water from us from Table Mountain the land up against the hill has all been cut up and built upon, with scarcely a decent road there, most of the roads being only 16 or 20 feet in width. The result is that those parts are nothing better than slums. If Sea Point had been under the Cape Town Act, such a state of things would not have been allowed, because then we should have made the building line so as to enable the roads by-and-bye to be made of decent width, and that would have increased the values of the properties. I consider that it is a very serious matter for Sea Point.

11815. So that there should be some combined authority, working on definite lines for all the Municipal areas?—Oh yes, because, generally, you only discover that no proper provision has been made for roads, and so on, after the place is covered up with houses.

11816. And, as a matter of fact, does it not strike you that it is much more difficult for a small local authority, such as each individual small Municipality existing at the present time, to tackle a subject of that description?—Decidedly.

11817. They are more open to outside influence than a large Corporation?—Well, they must consider the interests of their people, and they are influenced in a certain direction, not wrongly perhaps, but they have not that independence which they would have, if they were associated with a large body.

11818. Now such a combined authority should be in a position to construct and repair roads much more economically, and they should have one suitable quarry from which to get their material?—I think it is quite clear that there must be a saving on the whole, and you would also get more uniform work.

11819. More efficient work?—Yes, I think so. I would like it to be clearly understood that, so far as Cape Town is concerned, I am not giving evidence for the sake of forcing any Municipality into combination, because we have not anything to gain from amalgamation, but I am purely giving my evidence on the broader lines, inasmuch as it would be for the benefit of the Peninsula.

11820. *Chairman.*] We will take up the question of amalgamation later on?—Yes.

11821. *Mr. Gurney.*] You stated just now that, in your opinion, after having just returned from Europe, the streets of Cape Town compared very favourably with those of cities, both in England and on the Continent. You were not speaking of the actual state of the roads, were you?—I was speaking of their cleanliness or otherwise.

11822. You were not speaking of their muddy state?—No, I was speaking of the removal of refuse, and of the general cleanly state of the roads.

11823. Not of the actual state of the road?—No.

11824. *Dr. Anderson.*] Previously, the contractor was liable for dealing with the refuse, after it had left the city of Cape Town?—Yes.

11825. Did the Corporation consider that the body, whoever it was, who had authority over the district to which the refuse went, was the body to see that no nuisance was created thereby?—Certainly.

11826. And where nuisances were reported to the Corporation, which resulted from the contractor not doing his work properly, the Corporation took action?—Yes.

11827. And, as a result, they took the matter over?—Yes.

11828. They did all they possibly could to prevent any nuisances with regard to the removal of refuse?—Yes, we took it over ourselves when these complaints were made.

11829. And now you have entered into an arrangement with the Government to remove the refuse?—Yes.

11830. To the same place?—No, further on, I believe.

11831. And do you think any nuisance would be caused by such refuse, if it were properly dealt with?—I don't think it could cause any nuisance. It would be a pity, at the present time, to destroy it whilst we have so much waste sand lying out there, which is converted into good soil by means of this refuse.

11832. Don't you think that it is answering a very good purpose by reclaiming the land there at the present time?—Oh, yes.

11833. And although the destructor might be a very necessary apparatus for the sanitation of a town in England, it does not follow that it is necessary for that of a town in South Africa?—With regard to the removal of the refuse by the contractor, we really only pay him the railway charges. This man considered that the reclamation of his land by means of the refuse was a sufficient profit for him, and consequently we paid him nothing whatever for the right of depositing the stuff upon his land. We only paid the actual railway expenses. That proves that he considers that the refuse has increased the value of his land.

11834. Would you consider it necessary to have a destructor at the present time, when you have such a large area of land still open and which is not likely to be built upon for a great number of years?—Our position is this: if the Government had not come to our assistance we should have gone in for the destructor.

11835. If you are able to find land to dip it on to, then you consider that is the way it should be dealt with?—That is certainly better than wasting it.

11836. The cost at the present time is 2s. 6d. per ton for the removal of refuse, is it not?—I forget what the last arrangement with the Government really was, but there is a special arrangement with the Government. It was, however, made during my visit to England.

11837. Have you gone into the question of what it would cost to destroy a ton of refuse in Cape Town?—We have several estimates, which have been made by the engineer, and those estimates are very heavy, but I don't know that I coincide with them.

11838. Well, would you take it from me that in England it costs 2s. 6d. per ton?—Yes, although, personally, I have not sufficient experience to give an opinion.

11839. If it costs 2s. 6d. a ton in England, you would not expect to do it for less than 4s. 0d. a ton here, would you?—That is a very heavy percentage and I did not understand that that would be the case from what I saw at Bradford.

11840. I am giving you my practical experience. Then again you consider the composition of the household refuse to be of such a nature that it would be very difficult to cremate it?—Yes, I think we should have to introduce a certain quantity of coal and that of course would increase the cost.

11841. But at Bradford they don't introduce any fuel?—No, but that is our difficulty here, of course.

11842. *Dr. Gregory.*] There were representations made to the Council, from time to time, extending over a long period of years, as to the nuisances, or danger to health, arising from the tipping of refuse at Maitland?—No, I don't remember that there were many.

11843. If I assure you that the Council was many times approached with complaints, would you accept that?—Oh certainly, I accept your statement.

11844. And the reply was generally that it is out of the bounds of the Municipality, and that the contractor was responsible to look after that?—Yes, that would be the answer, because the contractor accepted all the responsibility when he entered into his contract, and, so far as the Council is concerned, we could not interfere with it, so long as we could hold him liable. But when he was not here to be made liable, the Council took the matter in hand.

11845. I simply lay emphasis on the point in order to show the need for combined action?—Yes, I quite understand your point, Doctor. It is certainly a difficult problem—to deposit material in other Municipalities and creating a nuisance thereby. There should be combined action.

[From this stage *Mr. Petrus Jacobus Bosman*, a member of the Cape Town Council, gave evidence with Mr. Ball.]

[*Mr. Wahl*, of the firm of Messrs. Silberbauer, Wahl & Fuller, appeared on behalf of the Cape Marine Suburbs, Limited.]

11846. *Chairman.*] The question of how to provide Municipal services for Camps Bay comes within the scope of this Commission, and we should be glad if you would tell us what would be regarded as the views of the Cape Town Council on that matter?—(*Mr. Bosman.*) I believe that we are going to Parliament with a certain Bill on this question, in order to ask Parliament to allow us to include Camps Bay within

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the Municipality of Cape Town, because we have had some serious complaints, to the effect that a large number of people go out to Camps Bay, and that there are no proper sanitary arrangements.

11847. Do you mean to include the whole area of what is known as the "Cape Marine Suburbs, extending over 1,000 morgen, within the jurisdiction of the Cape Town Municipality?—Yes, but I believe they object to our doing so, that is, as far as I know. (*Mr. Ball.*) I think, we have a portion of the land near Camps Bay, and we are strongly opposed to any further Municipalities being established so near to the boundaries of Cape Town, and therefore, as soon as we noticed that the Camps Bay Company were desirous of having a Municipality established there, the matter was debated by us in the Council, and it was concluded that it was inadvisable that there should be another Municipality so near to our area. We are deeply interested in that part, because all our water goes down in that direction and, besides, we have land there in close proximity to their ground.

11848. *Mr. Gurney.*] How far does the Cape Town Municipality extend in that direction?—It goes right down to Batchelor's Cove. Our boundary goes right down to the sea, and it takes in the new hotel, Mills' Hotel. We have land all round there. Then we also have land on the side of the Sea Point Municipality. I could point out the exact position on the map. (Witness pointed out the boundaries of the Cape Town Municipality to the Commission).

11849. *Chairman.*] Your boundary goes to the south side of the Sea Point Municipality?—Yes, we have Municipal land there, and the Government has also some land there.

11850. Perhaps Mr. Wahl will tell us whether any of the Camps Bay land comes within the Municipality of Cape Town?—(*Mr. Wahl.*) There is, I believe, a very small piece up at the Round House, which is occupied by the caretaker of the Sea Point Waterworks, and he claims that almost by prescription, so that a small piece comes into the Cape Town Municipality, but there is an amended title.

[From this stage *Mr. Ball* answered most questions.]

11851. I understand, then, Mr. Ball, that it has been brought to the notice of the Council that the Company, known as the *Cape Marine Suburbs, Limited*, are desirous of forming a new Municipality in that area?—Yes.

11852. And that matter has been unofficially under the consideration of the Council?—That is so.

11853. And your impression is that the Town Council of Cape Town will oppose the creation of a new Municipality in that neighbourhood?—In the strongest possible manner.

11854. Your view being that, if there is to be a Municipal control in that new neighbourhood, it should be only by the extension of the Cape Town Municipal control?—That is the opinion.

11855. And you found that opinion upon the prejudicial effect which the many Municipalities in the Southern suburbs have been the cause of?—Yes, precisely so. We don't wish to perpetuate the evil.

11856. Do you agree with that view, Mr. Bosman?—(*Mr. Bosman.*) Yes.

11857. *Mr. Wahl* (through *Chairman*).] The Council has come to the decision that the area should be included within the Cape Town boundary and they have published a Bill in which they have given the alteration of the boundaries, so as to include the Camps Bay area?—Yes, that is the result of our informal discussion.

11858. But can you tell the Commission, exactly, what is intended to be included, because Clause 2 of the proposed Bill reads as follows:—"From and after the promulgation of this Act the Municipality of Cape Town, in addition to the area described in Section 2 of Act No. 26 of 1893, shall include certain land situated on the South Western side of the Municipality, the boundaries whereof shall be as follows:—

From the existing municipal boundary at the point where the fountain in the kloof, near the block house, empties itself into the sea, thence along low water mark to the westward of the estate Camps Bay, granted to Anthony Oliphant on the 7th of February, 1839, and to the westward of Lot 'B' of the said estate, granted to the said Anthony Oliphant on the 1st May, 1822, thence along the South Western and South Eastern boundaries of the said Lot 'B,' thence in a straight line to the '*Twelve Apostles*,' thence along the edge of the summit of the '*Twelve Apostles*' and of Table Mountain to the existing municipal boundary, so as to include the property belonging to the '*Cape Marine Suburbs, Limited*'"?—That is the intention.

11859. Will that include Oudekraal?—Yes, everything that belongs to the place over which you want a Municipality, should be included in the Cape Town Municipality.

11860. Then this clause does not include that land at Oudekraal?- -Well, it is not necessary that it should, because if later on it were found that Oudekraal caused a nuisance in any way, or a danger, or if an application should be made for the establishment of a Municipality there, we could then take the same steps with regard to it that we are taking now.

11861. You speak of your general knowledge with regard to the intention of having a new Municipality there, and I believe you must have also learnt from your general knowledge that the owners of the ground have gone to very great cost in acquiring the ground belonging to them and various other places round about there, so as to prevent the land being cut up in an undesirable way?—That is quite possible, but they would not in any way be injured by becoming part of the Municipality of Cape Town. Their rights would not be interfered with.

11862. In the first place, do you know that these people have obtained expert opinion from England, in order to have a proper watering place in South Africa?—I have not been informed that they have obtained expert evidence, and I am totally ignorant of their having done so.

11863. These people did so with the special object of avoiding mismanagement, such as they consider has been done by the Municipality?—Well, we may differ on the subject of mismanagement.

11864. Have you, as a Council, proposed, or devised, anything which these people would get in exchange for the right to tax them and making them responsible for the Cape Town debt?—I don't want to place any burden of Cape Town upon them. They would only bear the expenditure of their own special needs.

11865. But has the Corporation suggested anything to safeguard these people in any way?—I think it is premature to ask a question like that, as to what the requirements of that part will be, but I am quite satisfied that the *Camps Bay Company* need not worry at all, that any expenditure, so far as Cape Town is concerned, would be placed upon their shoulders.

11866. Can you give the Commission any example of people protesting against being brought into a given area, not a single inhabitant asking to be so brought in, and yet their being brought in *nolens volens*?—I cannot give you any example, but sometimes people have to be taken care of against their will.

11867. The usual procedure is that the people ask to be brought into a Municipality, before the Government proclaims?—We object to a Municipality being established so near to Cape Town. As it is, we have too many Municipalities in the Peninsula.

11868. That property of Mr. Mills', of which you spoke, namely, the Clifton-on-Sea Hotel, has paid rates to Cape Town for a very long time, has it not?—Yes, I presume it has.

11869. Can you tell the Commission whether ever a £5 note has been spent for the benefit of the ratepayers there? Have you ever done anything for those people as a Municipality?—They have received the same benefits as other people.

11870. Can you say, from your own knowledge, whether you have ever made roads for those people, or provided them with police protection?—The roads are made.

11871. But not by the Cape Town Municipality?—Well, by the Divisional Council, but you must remember that the Cape Town Municipality contribute a very large sum to the Divisional Council.

11872. Have you done anything in the way of police protection?—We don't provide police protection to anybody.

11873. You did until very lately?—We had not any say about the distribution of the police. We simply pay £5,000 or £7,000, as the case may be.

11874. Have you provided those people with light, or drainage, or water?—There is plenty of water, and if Mr. Mills made application for it, he would get it.

11875. I am only asking whether you have ever given him anything?—We don't give a man anything unless he asks for it, but if he wants the water he can get it. I understand, however, that he does not want to pay for it, as he has plenty of water of his own.

11876. I am asking the questions, generally?—I know.

11877. Can you say whether a small watering place is more likely to be properly looked after and have everything done as emergencies arise, by the Cape Town Council which is some distance away and has no special local interest, or is it more likely to be properly looked after by the ratepayers on the spot, who would see that no scrambling places are put up?—I take it that the Municipality will not in any way interfere with the proper development of the place, and I don't see that any owner of property could suffer, in any way, by being under Cape Town. It would be to his advantage, I should say, to be under proper control.

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11878. *Chairman.*] Would the powers you have under the Act at the present time, give you the right to deal with the land in a special way, as far as laying it out is concerned?—Yes, that is to say, if they propose to sell it, or propose to build upon it. The roads would be done according to the requirements of the Cape Town Act, and that would have to be provided for before the plans are passed. The Cape Town Council would insist upon proper roads, proper drainage and a proper water supply. And if the Company were prepared to do all that for their own sake there would be no difficulty whatever.

11879. *Mr. Wahl* (through *Chairman*).] As a matter of fact, they would have these things done very much better locally, than they would be done by the Cape Town Municipality?—Well, that is a matter of opinion.

11880. *Chairman.*] Have you any powers under your Act at the present time by which if in any other part of Cape Town an owner sub-divide a particular property, you could insist upon a certain style of building being put up or a certain class of road constructed?—We have the power to regulate a certain class of architecture, and Mr. Wahl will bear me out that the best possible advice is always given by the Council. That has been done in the case of Orangezicht Estate, where we gave them valuable advice for the erection of houses for a suitable class of tenant and, I believe, the ideas given by the Council have been adopted by the Company. That being so, I cannot see what their objection can be to the other portion of their property coming under the Cape Town Council. Of course, we have the power to expropriate, but we only want proper building lines and drainage.

11881. *Mr. Wahl* (through *Chairman*).] And that is in the hands of the owners of the estates themselves?—Yes, as long as they lay them down on our lines we are satisfied.

11882. *Chairman.*] Would your Council be prepared to admit the desirableness of having such a Marine Suburb in that part?—Oh, yes, and they would be very desirous of seeing it kept in proper order.

11883. *Mr. Wahl* (through *Chairman*).] Can you hold out any hope, that if this area is included within the Cape Town Municipality, these people will have a proper drainage scheme provided for them, and that the question would not be shelved? Well, I have only three months more to serve, and the citizens may not think it worth their while to send me back again.

11884. But can you say what you are going to do with these people, if you are going to deprive them of the power of going in for these things themselves? Have you advised anything, or proposed anything, so as to make up to them for taking away that power?—Not at present, but there will be no difficulty, if that suburb is prepared to bear the expense of proper drainage there. There might be a difficulty raised, if you are going to use the rates of Cape Town for the purpose, but if the locality is prepared to bear the expense you will have all that you require, and I can see no difficulty whatever.

11885. I suppose you will admit that physically it is impossible to make the drainage of Camps Bay part of that of Cape Town? It will have to be a totally different scheme?—Oh, yes, that is quite right.

11886. *Chairman.*] Have you any powers of special assessment of Cape Town?—For rating?

11887. Yes.—No, we have not the power, but I think it is one of those things that the Council should be empowered to do, namely, to rate special properties for special purposes. If the owners of such properties desire certain things to be carried out, and they are prepared to bear the expense, the Council should have the power to levy a special rate.

11888. And the question of proper drainage and of a proper supply of water for this area should be considered under such powers?—Yes, that is done at Port Elizabeth, where, if a certain area wants a drain to be put in, that area bears the cost of it. The rate is levied accordingly on the properties in the particular area, and out of that the cost is defrayed.

11889. *Dr. Gregory.*] There is no such clause in your new Act?—No.

11890. But this would be a charge to the Camps Bay people, namely, the whole cost of the drainage for their area?—If it is their wish.

11891. But they would also be paying interest on the loan which has provided drainage for Cape Town and which they cannot profit by?—What different position will they be in? They are at present prepared to undertake the whole expense for constructing the drain?

11892. But in that case they should not be contributing rates to pay interest on your loan for your drainage scheme?—Then they would have the right, under the present Act, of paying two-thirds of the cost and the other one-third would be borne by the Municipality.

11893. *Mr. Wahl* (through *Chairman*).] But the two-thirds you are now referring to is under the Cape Town Act by which one-third of the cost of road formation, and drainage of any new estate in Cape Town is borne by the Municipality?—Yes.

11894. But the question I want to put to you is this: would the position of these people, if not annexed by Cape Town, not be that they would start with a clean slate, in which case they would devote their revenue to these purposes, but if they were brought into Cape Town they would, in addition to that have to pay the 2¾d. as ratepayers in Cape Town for debt accumulated in the past?—I see no difficulty in overcoming that matter, because it may be found necessary that a different system of taxation would have to be adopted for that locality, rather than the general taxation of Cape Town. For instance, it might be considered that the amount of the rates collected in that special district should be spent in the district. Of course, that is excepting the water supply for which they would have to pay a proportionate share, as well as a certain percentage towards the cost of office expenditure and the salaries of officials of the City Council concerned in the management of Camps Bay affairs, but, generally speaking, for roads and drainage, and so on, I think, the rates should be chiefly spent upon the area.

11895. Is not that rather, putting into other words, that they would, to all intents and purposes, be a separate Municipality, but that the ratepayers would not be allowed to elect their representatives on the Cape Town Council?—They would elect certainly.

11896. But they would be a drop in the ocean?—Well, I am trying to meet you.

11897. I think, to all intents and purposes, they would be a separate Municipality, but Cape Town would expend the money instead of the men there themselves?—I don't quite see your point. You would have as much right to representation there if that portion were brought under the Cape Town Municipality as Cape Town people. There is no reason why you should not have representation from there, and, in all probability, the Ward system will be introduced, and you would have your representatives from Wards.

11898. You say, as regards the rate, the amount imposed should be a separate one?—Yes.

11899 The water scheme might be supplied separate from the other things of Cape Town, that is to say, that area would get a certain proportion?—Yes.

11900. But they might be supplied as private buyers in the same way with a certain quantity, might they not, in any case?—Yes.

11901. You say, as regards drainage, that would have to be separate?—That is my suggestion.

11902. So that, to all intents and purposes, they would be a separate Municipality, only they would not have a separate body, but be under the Cape Town Council?—The same thing applies to the various other Municipalities. They spend their own money and do whatever they like now, but, in the interests of the Peninsula, it has been the greatest mistake imaginable. If we had not had so many Municipalities better water and drainage schemes would have gone through long before this, and now, after having seen the mistake, a proposal comes to establish a new Municipality, and to that we decidedly object. The principle of extending existing Municipalities, rather than creating new ones, is being adopted everywhere. They are absorbing the Municipalities one after the other. If Cape Town had been alive to its interest the whole of the Camps Bay area would have been under the control of the City Council years ago.

11903. Then it is rather this: you say that to all intents and purposes it would be the same as the other suburban Municipalities?—Yes.

11904. Would it not be better that a Central Board, to deal with these matters, should be established, and that Camps Bay should not be worse off than any of the other Municipalities by being absorbed as part of the general area of the City of Cape Town, but that it should, at any rate, have the same advantage which the other suburban Municipalities enjoy, namely, that of looking after its own interests? We do not differ with regard to the establishment of a central authority to deal with large matters, such as water and other things, but we certainly do object to being placed on a worse footing than the other Municipalities?—There is no reason why you should be placed under a special disadvantage by forming part of the Municipality of Cape Town. The great principle that we have to consider is this: You are large owners of property, at the present time, but there is nothing to prevent your Company from selling to individuals and thus we would have a number of persons to deal with if bye and bye you should decide to sell your ground. Therefore, we say, it is much better to bring you under proper Municipal government at once, rather than wait and apply later on. The time is now, and experience in the past has proved, that we have acted very unwisely.

Mr. Thomas Pell. 11th June, 1912.

11905. *Chairman.*] What you say is, that you consider that the interests of this neighbourhood have been prejudiced by these separate Municipalities, and of course you could not be in favour of amalgamation on the one side and not on the other?—Precisely.

11906. You must adopt the principle right through?—Yes.

11907. But you say that with regard to the feelings of the owners of Camps Bay, special arrangements could be made by themselves, with the consent of the Cape Town Corporation, as to the division of their lands and the Municipal improvements to be carried out?—I see no difficulty at all.

11908. *Mr. Wahl* (through *Chairman*).] You have published a Bill which you propose to introduce in the ensuing session of Parliament, and in that you ask that the area of Cape Town should be extended, so as to include that land, but in it you have made no provision for giving the ratepayers the protection that you now say you would be prepared to give them?—We have not gone into the details of the Bill. It was only just recently that we were made aware of the fact that you intended to apply for a Municipality there, and we protected ourselves at once when we saw your application, by deciding and notifying that we intended to oppose the establishment of a separate Municipality.

11909. It is just the other way about. The notice was advertised by you and we protested against it?—There are many ways of obtaining information, and the information was brought to our notice that it was your intention to apply for the establishment of a Municipality there; we then published our Bill in order to prevent that, not in any spirit to deprive you of any of your rights; and, there is no reason why these alterations which I have suggested, just now, should not be introduced, when the details of the Bill come to be considered. The Bill, of course, is incomplete, as, for instance, we have not introduced the question of Wards but, as a matter of fact, two other members of the Council and myself have been empowered to draft a resolution which should be embodied in that Bill, so that it might form part of the Bill, making provisions in that behalf.

11910. *Chairman.*] Could we get that resolution?—It has not been drafted yet.

11911. When it is drafted?—Since the Bill has been under the consideration of the Council, the question of Ward representation has been debated and I took the same view that the Council should have an optional clause, and then it was decided that three members of the Council should form a Committee to draft that resolution. It has been delayed simply because the prospects of Parliament meeting are so vague. But we should have very soon come to work if there was any chance of the Bill getting before Parliament soon.

11912. *Dr. Gregory.*] But that resolution only deals with the introduction of the Ward system?—Quite so.

11913. It does not deal with introducing safeguards for providing that a proportionate expenditure should go upon a district?—That is so.

11914. And your own idea, and that of the Council would be, that they would be agreeable that that should be introduced into the Bill, safeguarding the owners in that direction?—I think, powers like that should be introduced into the Bill, I may say, apart from Camps Bay altogether, but with regard to the amalgamation of the Municipalities themselves, I felt that something like that might have to be introduced, because a general rating power would probably be objected to by Cape Town. We, of course, expect that something of the kind will be suggested by this Commission, and, if such a provision were introduced into this Bill, it would apply equally to Camps Bay, if it comes under the Municipality of Cape Town.

11915. But you are clear that there should not be a second local authority established in that area?—I am.

11916. But that when Cape Town taxes it, it should safeguard the interests of the inhabitants?—Yes.

11917. *Mr. Wahl* (through *Chairman*).] We should, at all events, come so far that Camps Bay, at least, is entitled to the same treatment as all the areas which at present have separate Municipalities. That is to say, if you form a Central body for the Peninsula in which all the Municipalities would be merged to a greater or less degree. Camps Bay would then be merged in that way and not form an integral part of Cape Town, any more than Sea Point and Wynberg; that is what we object to. Our objection is not against the Central body but we should want, at the very least, to stand in a position to look after our own interests and pushing them forward in the best manner possible?—(No answer.)

11918. *Chairman.*] Would it not be possible, in the Bill, to make special provision for making the owners of any particular part of land to come in under special arrangements, as to the style of building, style of road, special taxation and so on? The thing is done in other Municipalities and why cannot it be done here? The difficulties could be met by such a Bill, could it not?—(No answer).

11919. *Dr. Gregory.*] As a matter of fact, I take it, you consider now that the Bill, as far as it alludes to the Camps Bay Estate, is somewhat incomplete and wants additional clauses to meet these things?—Yes. Mr. *Thomas Ball.* 11th June, 1902.

11920. And you have no doubt that the Council would see their way to make these additional clauses?—Yes.

11921. That is quite apart from what the Commission might do in the general matter of amalgamation?—Quite so.

11922. *Chairman.*] These being your views, I suppose we might take it that they would meet with the views of the Corporation?—I think so.

11923. So that Mr. Wahl knows now what your views are on the matter, and could prepare his evidence accordingly?—Yes.

THURSDAY, 12TH JUNE, 1902.

Present:

Hon. Sir W. Bisset Berry (*Chairman*).

Dr. A. J. Gregory.	Dr. A. J. Anderson.
Mr. W. E. Gurney.	Mr. T. Stewart.

Mr. Thomas Ball, C.M.G., and *Mr. P. J. Bosman*, further examined.

[Except in the cases where *Mr. Bosman* is specially mentioned, all the answers were given by *Mr. Ball.*]

11924. *Chairman.*] The next subject is that of lighting?—Before going into that there is a little matter which I want to clear up. Dr. Gregory asked me a question in regard to Woodstock, as to whether any communication had ever come from Woodstock with regard to joining, or associating, themselves with us in any drainage scheme. I was unable at the time to answer, because it had not happened in my term of office. But now I may say that I believe the records will shew that Cape Town has made every effort to associate with Woodstock in a general drainage scheme. Of course, at one time it was understood that the drainage outfall would be in a different direction to that which it now takes. Under the other scheme it would have been necessary for it to pass through a portion of Woodstock. The Woodstock people, however, set their faces against having anything at all to do with the business, and would not come to any terms with us. This may be verified by Mr. George Smart, who was in the thick of the discussion. He is well versed in all the details of what took place. The attempt was really made to get them in, but they did not meet Cape Town's efforts to join with them. If they had shewn any willingness they would have been considered, even after the change of the outfall. They certainly, at any rate, would have had a title to be associated with us even though our outfall was in another direction. I thought I ought just to mention that. Messrs. *Thomas Ball* and *P. J. Bosman.* 12th June, 1902.

11925. *Dr. Gregory.*] It ought to be mentioned to you, Mr. Ball, that in the evidence which we got from Woodstock it would appear that they applied to Cape Town to be allowed to combine in a drainage scheme, but they could not get any answer from you?—You may see the records, and I think you will find that they are quite sufficient to show that I am right. If the records about that date were obtained they would furnish considerable interesting information. Of course, I daresay that the Woodstock evidence was referring to something in regard to the present outfall, after they had dismissed all intention of joining with us in the original scheme. It may be that they are referring to something that happened when the present scheme was considered.

11926. *Chairman.*] Now in the matter of public lighting, Mr. Ball, would you mind telling us what are your arrangements in Cape Town?—Our electric light system is undergoing development every year to a very large extent, and I certainly think that it could be utilised for supplying electric light to all the suburbs at a very considerably less cost to the people in the suburbs than they are paying now.

11927. To what extent do you think you could supply electric light more cheaply than it is now supplied in the suburbs?—The price which the Suburban Company are now charging is, I believe, either 1s. 6d. or 1s. 9d. per unit. Our maximum charge is 1s. 2d. per unit, but we have a minimum charge of 8d. per unit.

That is to say, our charge is based on a sliding scale according to the consumption. A consumer taking 1,200 units per month pays the minimum charge of 8d. per unit, and, according to the diminution in the quantity taken, the price per unit is increased until the maximum of 1s. 2d. is reached. It is really a discount—a very large discount—which is allowed upon payment, if the account is paid within 30 days of the rendering of the statement. That is to say, if the account for this month were paid by the end of next month there would be this very large discount. I might add that our charges for a "day load" are very much smaller than for a "night load." We charge about half the "night load" charges.

11928. *Dr. Gregory.*] You go as low as 4d. per unit?—Yes, for the maximum quantity, and in the same proportion right through.

11929 *Chairman.*] I believe you are increasing your plant, are you not, even at the present time?—Yes, very largely.

11930. And you consider that you would be able to supply the suburbs with all their requirements for electric lighting?—We offered to supply the present Suburban Electric Lighting Company with a large quantity of electricity. We would have been in a position to do so. All they would have had to do would have been the distribution, but they did not see their way to accept our offer.

11931. Have the Corporation anything to do with the Gas Works?—No, we have nothing to do with them.

11931A. Do you use any gas for public lighting?—Not much, in fact very little. We have gas in the Town Hall, but it is not used for street lamps.

11932. All your public lighting is done by electricity?—Yes.

11933. Have you any statement as to the capital invested in your electric works?—(*Mr. Bosman.*) I have some figures here which shew the increase during the past 5 years. In 1896, we received £9,008 in revenue from our electric light; in 1897, the revenue was £12,238; in 1898 it was £16,412; in 1899, £22,038; 1900, £28,618, and 1901, £33,275. The expenditure has been about equal. Sometimes there has been a little surplus, but we have always expended it in improving our electric lighting works. I may safely say we have always had something over at the end of our year's working, but it has always been used in increasing the plant and so forth. We were seriously hampered for some time because we could not supply all the electricity that was wanted, and we commenced to lay the foundations for a new electric lighting station close to the Central Wharf. We were in fact just about to build when the Government prevented us from doing so. We had an action in the Supreme Court about it, and it was the long delay that kept us back, and prevented us from being in a position to give more light to the town. Now we are building elsewhere, and in a few years' time we will be able to supply two or three times the amount that we can now supply. We have already a temporary station to help us in emergency.

11934. You have started that?—Yes.

11935. Is it to be a permanent work?—Oh, yes.

11936. Have you a return of the capital invested in your electric lighting plant?—I have, but not with me. I know the total was £125,000, but now I believe it is more. (*Mr. Bosman.*) The total is now nearly £140,000.

11937. I have just found a return issued from the Town House which shews that the capital expended on the installation, as completed to that time, was £139,507?—(*Mr. Bosman.*) Yes, that was to the 31st December of last year. Our financial year ends on that date. We have expended a little money since then, but I could not exactly say how much, because the total has not been extracted from the books.

11938. You have considerable powers for increasing your plant?—Yes, we have had a further loan granted of £100,000 to increase our plant.

11939. I see that, during the course of 1901, you expended a sum of £21,458 in maintenance and working?—Yes. (*Mr. Bosman.*) Yes, and of course that is a much smaller sum than the revenue, but we are always using our surplus money to improve our works.

11940. Does that item of maintenance and working expenses include interest and Sinking Fund?—Yes.

11941. You have a total authorised borrowing power under this head of £205,961?—Yes. (*Mr. Bosman.*) And we have still to expend, calculating from the end of last year, over £66,000. The actual figures are £66,454.

11942. At what do you anticipate your revenue for the present year?—(*Mr. Bosman.*) We calculate it at about £35,800.

11943. Then are you very well satisfied with this as an investment, Mr. Ball?—Very well, indeed.

11944. There has, sometimes, been considerable debate as to whether it is a good thing for Municipalities to engage in this line of business, but your experience has inclined you to be strongly in favour of it?—Yes, most decidedly. We suffered con-

siderably in the old days with regard to the gas. That was what really led us to go in for electricity. The gas lighting system was most unsatisfactory in every way. There has been an improvement in our electric light every year since it began. The town paid on account of the electric lighting the sum of £6,000 last year. We make an increase practically every year, which means a further addition to the lighting of the town. The charge of the town for street lighting is a purely nominal one. It is calculated at the bare cost of generating the electricity. There is no question of profit about it. The town gets the light at actual cost price. It is from the private consumer that the profit is made.

11945. What is the rate per unit at which you charge the Town Council?—I would not like to say. I would prefer to say that it is supplied at cost price. (*Mr. Bosman.*) The Electric Lighting Committee looks upon the city as one of its customers, but not as one of its customers from whom a profit is to be derived.

11946. In your accounts this charge appears as a lump sum for street lighting without the actual details being set forth?—Yes, we charge so much per light.

11947. Speaking generally, from your experience in the Municipality in the matter of electric lighting, would you be in favour of the extension of the system to the neighbouring Municipalities?—Yes.

11948. Would you even go so far as to say that you would be prepared to buy out the present Company, which supplies the light to the suburbs, and run the thing at your own risk for the supply of the suburbs?—I would not like to say that we would interfere with the existing Company, but we feel ourselves quite capable of supplying the required light for the public streets, as well as for private consumption at a considerably reduced cost. That is to say, at no extra increase on what we are charging for our maximum rate now, probably less. It is a case of the larger the output the better the terms.

11949. Do you really think that you could supply electric energy to the suburbs for the same price as in town?—Yes, if not less.

11950. Is the electricity being used for trade purposes—that is to say, for power?—Its application for those purposes is gradually increasing. We did not supply much for that purpose until recently. It is only within the last year that we have been importing a meter to register a "day load" as well as a "night load." We have now obtained these automatic meters which register what has been consumed during the day as well as what has been consumed during the night, and keep the two matters separate. We are, therefore, now in a better position to give every encouragement for the use of electricity during the day. The difficulty of registering what was consumed during certain hours hampered us considerably in the past. It is only within the last year that we really commenced operations in supplying electricity at this low figure for the use of lifts and motors in the town. Their number is now increasing very rapidly.

11951. Has the question of municipalising the gas supply been before the Council?—It has not been discussed, but I think it would be a very wise thing for us to undertake it.

11952. You think it would be an economy for the town?—I think so.

11953. Are you aware whether the use of gas is keeping up?—I believe it is. It is used for cooking purposes though not so much for lighting purposes as before.

11954. You think that what it loses in one it gains in the other?—I think it more than gains.

11955. Are statistics published in connection with the Gas Company's business?—I have not seen any.

11956. Does the charge for gas strike you as being a reasonable one?—Certainly not; anything but that. Ten shillings per 1,000 feet seems to be a very high figure.

11957. Has that always been the charge?—No, it was reduced for a short time to about 9s., but when the new Company took over they put up the charge again to its original figure. Of course I must admit that they were extending their mains and laying out considerable extra capital.

11958. When did that take place?—Several years ago. I must admit that there has been an increased cost to the Company within the last few years; and it might have been expected that there would be an extra charge for some little time, but the present charge has been in force for many years.

11959. Do you know what capital is invested in the undertaking?—No, personally I am not aware of it, but I think that the capital of the original company was about £40,000.

11960. Is it within your knowledge whether the working of the Company is remunerative?—It was in the earlier days. I cannot speak for the present. It depends entirely upon the capital, and I am not in a position to say what their capital is, but I think their business is remunerative.

11961. I suppose you are judging from the fact that they are extending their operations?—Yes.

11962. *Dr. Gregory.*] You say that the Electric Committee supplies the Corporation with light for a certain price?—Yes.

11963. Is it not the usual thing for corporate bodies which manufacture their own electric light to make public what they charge themselves for the supply?—We make public what we charge ourselves. We charge so much per lamp.

11964. But what do you charge per unit?—We do not charge per unit.

11965. Mr. Clark, the Government Electrician, when he gave evidence before the Commission the other day, furnished us with figures as to what a number of different local bodies in England charge themselves per unit for electric light manufactured by themselves?—I have no experience of that.

11966. He also gave us the figures as to what the light cost such Corporations in manufacture. Is there any reason why such information should not be available here?—No, there is no reason whatever.

11967. Then what is your objection to informing the Commission?—I have not the accurate figures, and I would not give you what is not strictly correct. But, as far as we are concerned, we do not charge the town per unit consumed. We calculate the number of lamps, and charge so much per lamp. It has never been charged at per unit, nor has it ever been suggested that it should be charged at so much per unit. We calculate the number of lights, and the number of hours they are burning, and then we get pretty nearly at the consumption. Our charge is made out exactly in the same manner as the Gas Company charged us in the olden days.

11968. What do you charge per lamp?—I have not got the details.

11969. Could you not furnish us with the details?—Yes, I think we could do it.

11970. The matter is of importance in this way: The Suburban Municipalities pay so much per lamp to the Cape Peninsula Lighting Company, and it would be of advantage to be able to compare what they pay with what you are able to supply the light at; that is to say, what is paid by the Council?—You have to look at the two things from a very different standpoint. The Company in the suburbs have to work for dividends. They are not likely to supply the electric light on the same conditions as we supply it.

11971. And therefore the Cape Town Corporation charges would compare very favourably with the suburban charges?—Very favourably indeed.

11972. Which would be an argument for the local authorities carrying on their own electric lighting?—Yes. I will try to look up the information for you.

11973. What is the candle-power of your street lamps?—They vary considerably. I had got out a large number of details in connection with the electric lighting, but I have mislaid my memorandum.

11974. Will you be able to furnish the Commission with the average candle-power and the rate of charge?—Yes, I will do so.

11975. When you started your electric lighting operations you erected a generating station up at the Molteno Reservoir?—Yes.

11976. Can you inform the Commission what your grounds were for doing that?—I was not a member of the Council when that was undertaken, but I believe the principal reason was that they would be able to utilise the water supply for running the turbines, after which the water could run into the reservoir, and there would be no waste.

11977. To what extent is the water so used?—To a very considerable extent, but of course, the machinery is altogether inadequate for what we now require.

11978. Roughly speaking, how many days in the year is the station at the Molteno Reservoir run with coal and how many days with water power?—For several months in the year we are able to run every day there with water power; it is only during the dry season, when the water supply is a short one, that we have to cut it down to probably two days in the week. I may say though that really we get eight months in the year full running.

11979. In your opinion, when your main generating station is quite finished, will it pay to continue running the Molteno Reservoir station, in view of the expense of keeping up two establishments and carting fuel such a long distance?—All that is under serious consideration at the present moment. We are giving careful attention to it. In all probability we shall remove the machinery from there and run by water power only. I doubt whether we shall continue our engines there. Apart from the question of the cost of carting the fuel, there is the advisability of concentrating the works.

11980. You also have a generating station in Dorp-street, I believe?—We have.

11981. Is it proposed to continue that?—Not as a generating station. In all probability the engines and boiler will be removed to the Plantation, where we are building our permanent works.

11982. Will it be retained as an accumulating station?—Yes, and for stores. We could not dispense with the premises. They are most useful, although some portion of them may be turned to other uses.

11983. Has not the estimate upon which you based the probable future requirements of the city proved insufficient?—I would not like to say that, although we have grown very rapidly. We have not been able to get our machinery out as quickly as we wanted it, and therefore have not always been able to cope with the demand. Then, again, as Mr. Bosman has remarked, there was some delay with regard to the site for a permanent station. We were anxious to build where we could have plenty of room to extend, and our desire was, also, to use the cleanest water which we could get from the Bay for condensing purposes. That was the reason why we tried to get as far out on the reclaimed land near the Central Jetty as possible. The trouble that arose caused considerable delay. To cope with the matter a little we put up a temporary shed on the Plantation. That has enabled us to keep pace with the demands of the town. We are now erecting our permanent buildings there.

11984. I was speaking of the original estimate, which led you, in the first instance, to erect your generating station at the Molteno Reservoir?—I do not know what the estimates were when they first commenced the erection of that station. I was not a member of the Council at that time. I do know this, however, that, so far as our estimates have been concerned recently, we have come out very well. Our late engineer, Mr. Lowe, estimated what was actually required very well indeed.

11985. But that was after the first works were erected?—Yes.

11986. Had you had in view what you now require, you would never have started with your works up at the Molteno Reservoir?—Possibly not, but yet, I do not know that we might not have gone there. I believe there was a very strong faith in regard to the value of water power for generating purposes at that time. It is only as the result of actual experience that we have come to the conclusion that it is better to erect these buildings lower down in the town.

11987. Assuming that you supplied current to the suburban Municipalities, is the site of the main generating station the best you could have?—It is quite as good as any position we could select.

11988. There would be no advantage in having it in a more central position as regards the area you would have to supply?—I do not think it affects it in the least. We had the matter under discussion.

11989. What capacity for increased supply will your works, as proposed, possess?—Double the present capacity or, possibly, more than that. We are building at a site where we can extend. The increased power is only a question of engines and dynamos being brought out.

11990. What is the capacity intended to be for the present?—I do not happen to have the details with me. (*Mr. Bosman.*) The building is to be a large one and, supposing we want to put in engines for a couple of thousand horse-power more, it is only a matter of ordering the engines. The room is there. We can provide for double or treble what we at present intend.

11991. Are your present mains those that were originally laid?—We have had to lay several new mains to cope with the demand.

11992. Taking your mains as a whole, is it expected that they have yet a long life to run?—I think so, I do not think there is much deterioration with regard to the mains.

11993. The Corporation of Cape Town, I take it, from what you have said, would really welcome any scheme which combined the electric lighting of the suburbs into their scheme?—I will go so far as to say that we should be quite prepared to favourably consider a scheme of that sort. We have shewn already that we would be very willing to meet them on very favourable conditions to them.

11994. It would be possible, would it not, to supply the suburbs on exactly the same terms as Cape Town?—I believe we could do so. At all events I do not think that our maximum charge would be a higher one. I do not know whether the minimum might not be altered a little.

11995. With regard to your supplying electricity for power purposes, has the question of supplying it for traction, that is in the way of tramways, been considered by the Councillors up to the present?—There does not appear to be any likelihood of our having to do anything of that sort. The Tramway Company have sufficient power of their own.

11996. It would have been an advantage, would it not, if the tramways had been a Municipal undertaking, and the whole of the electric generation had been in one works?—I do not think it would have been wise to join the two. The fluctuation in the current on the tramway system would probably have had a bad effect on the

lighting arrangements. I believe that we would have to keep the two things separate in any case. That is my view anyhow.

11997. But they would have been able to use your "day load"; which is now your difficulty?—It is undoubtedly a serious difficulty, but they could not have used our "day load" only. We should have had to increase our machinery very considerably. The tramways consumption must be very great indeed. I presume that the Council will take over the tramways at the expiration of the period of the lease.

11998. When does that period expire?—In about 17 or 18 years.

11999. So that really the question has not entered into practical consideration?—No.

12000. But in the event of that being done, has the question been considered of the difficulty which would arise owing to the running powers being through the areas of different bodies?—It is all provided for in the Act. The Divisional Council have the first claim to taking over the trams, that is outside the Municipal area of Cape Town. Cape Town takes second claim if the Divisional Council does not care to exercise its right. That is, Cape Town may take over all the tramways if the Divisional Council does not take over those outside the Cape Town Municipal area.

12001. So that it may still be that you have two local authorities running the tramways?—Only a portion of the tramways. The Divisional Council cannot touch the tramways within the limits of the city, but we have the right to take over the tramways, even outside the city limits, in the event of the Divisional Council failing to take them over.

12002. But if the Divisional Council exercise their right, it would mean that there would be two authorities managing the tramways?—Certainly, if that does occur.

12003. So that what is now under one authority would be split up?—That is in the event of the Divisional Council in years to come, if there is still a Divisional Council, taking over the responsibility of the tramways. We do not anticipate they will accept this extra burden, even if they are still in existence.

12004. *Mr. Gurney.*] Is the reduced charge for "day load" one which applies to electricity used for lighting as well as for power?—Yes.

12005. I believe you do not supply the Railway Department with electricity?—No.

12006. Nor the Harbour Board?—No, they have their own plant. I may say however that we do supply some of the Government offices, but not the Railway Department. They have their own plant.

12007. Some Government offices are supplied by the Railway Department, are they not?—The Houses of Parliament are, I believe.

12008. Is that not due to the fact that the Town Council has not been able to supply the electricity?—It is not due to that. We are quite prepared to supply them if they want it.

12009. Now you are, but were you in the past?—I am not aware of any applications to the Town Council from Government offices for electricity which we have not met. There may have been such applications some time ago. The growth of the demand was very rapid for some time.

12010. Have you made any application to Government with a view to supplying light to the Government offices?—We have made no application that I am aware of.

12011. Are you not desirous of getting the Government to take its light from you?—We would be pleased to supply them with electric light, but we were under the impression that they did not wish us to supply it, having their own generating station for the Railway Department The Harbour Board plant has been in existence for some time. I know we offered to supply the Hospital, but the Harbour Board were already doing so and continue to do so.

12012. Are you quite sure of your facts in regard to the question of the supply to Government offices?—I am not aware of the Government having applied for any light that we were unable to supply.

12013. Your impression is that the Government has taken its own supply into the Government offices because it preferred to do so?—That is what it amounts to.

12014. You are not aware of the Council having made any representations to the Government that they really had the right to supply the electric light in Cape Town, and, therefore, that the Government should use their light?—There was something of that sort recently. It was not exactly as you have put it. There was an application made by the Government to open up the road and lay an electric main, and we informed the Government that our wires were already laid at the spot, and there was no necessity for digging up the road again and laying fresh cables. That is really, I think, what you are referring to.

12015. Then are we to understand that you are in a position now to supply all the offices, although at one time you were not?—It is possible that at one time we were not, but it must have been some time ago.

12016. If these new arrangements, which you are carrying out, were completed you would have power enough to enable you to supply all the Government offices and every need of Cape Town, excluding the Harbour Board and the Railway?—Easily, without any difficulty.

12017. *Dr. Gregory.*] Would it not be an advantage if you could supply a "day load" to the Harbour Board?—I do not think that they use a "day load" at all.

12018. But they may be contemplating it. If they were, would it be an advantage to you to supply it?—We would seriously consider any proposal which might be put before us.

12019. *Mr. Stewart.*] Is it the case that the number of days during which water is supplied to the electric lighting turbines is given in the Mayor's Minute?—I believe that it is.

12020. You mention that you would be able to supply all the needs of the suburbs in the matter of electric light as cheaply as you supply Cape Town. Having in view the scattered nature of the houses in the suburbs, are you perfectly certain about being able to do so?—I think so. I am, of course, basing my opinions on what has been presented to me by our electrical engineer. We debated the question some 18 months ago. I must, of course, say that at that time the question of the distribution of the supply was not before us. All that was before us was the question of the supply in bulk to two centres in the suburbs.

12021. You were to supply in bulk, and the Company were to distribute it and make their own charges?—That is so.

12022. Are you prepared to supply it in bulk, at quite the same price as you are charging in Cape Town?—We stated a price which would have left the Company a very good margin of profit for distribution. They wanted it actually cheaper than we offered it.

12023. Is there every reason to believe that if you had supplied the electric current under those conditions, the light, as distributed throughout the suburbs, would have been cheaper than it is now?—I think so.

12024. *Chairman.*] Have you a number of wash-houses in Cape Town?—Two or three.

12025. Where are they?—They are situated at the upper portion of Buitenkant-street, near Platteklip.

12026. Have they been in existence for a very long time?—Yes, for a good many years.

12027. Are they well patronised?—Fairly well patronised on certain days.

12028. Does that prevent any open washing in Cape Town?—We do not allow any open-air washing in Cape Town. There are some private wash places on estates on the mountain side where a few people go and wash.

12029. It is a Municipal regulation that no washing is allowed except at these wash-houses?—Yes.

12030. What charge is made for using the wash-houses?—We make a small charge of a penny, or two pence, per day, and allow them an abundant supply of water.

12031. Hot water as well as cold?—No, all cold.

12032. And what becomes of the waste water?—It is drained off.

12033. Into your drainage system?—Part of it goes into our drainage system, but some of it passes through private property, where the people claim a right to it for garden purposes. The majority, however, passes into our stormwater system.

12034. That reminds me, I do not think we have had any information about your stormwater system. Are the works now under construction pretty well advanced, or is there still a good deal to be done?—There is still a good deal to be done. Our total estimate of probable expenditure is £385,000, and we have now spent about £115,000.

12035. Is it contemplated to spend the whole of that larger sum?—Yes.

12036 Did you find it absolutely necessary to go in for this scheme because of the claims for damages?—No, not so much on that account. We had two schemes which were marked "A" and "B." The "A" scheme was the larger scheme, but we borrowed £135,000 to carry out the "B" scheme as a first instalment. That is very nearly completed, and it is now found necessary that we should continue our "A" scheme. It is really necessary on account of the growth of the town. The erection of buildings all round certain drainage areas has changed the position and concentrated the water, and made it absolutely necessary for drainage to be put in to avoid flooding. Our action was not because of any very serious claims for damages having been received.

12037. As the buildings are erected nearer to the mountain, your drainage system must advance?—Yes.

12038. Is it contemplated that the loan which you have just mentioned will complete all that is absolutely necessary?—Yes; it is considered that we will be able to do

all that is required. We received authority to raise the further loan for the larger work. The two loans are £135,000 and £250,000 respectively, making a total of £385,000.

12039. Are there any other public works of any magnitude in the city which you would like to say anything about; for instance, public slaughter-houses?—We have no slaughter houses at all, but we have our own farm for infectious diseases, and our own Hospital and such things. They have recently been established.

12040. You have an Infectious Diseases Hospital?—Yes.

12041. Is it in working order?—Yes. We are extending our water mains very considerably too. In fact all the public works of the town are being largely extended at the present time.

12042. Have you any public baths?—A public bath is under serious consideration, but difficulties have arisen which have prevented us from coming to any particular decision. It was felt that to supply sea water to the bath without raising its temperature would seriously militate against the efficiency of the work. Our first intention was to use the water from the condensing apparatus at our electric light works for the purpose of raising the temperature, and, therefore, the desire was to get a suitable site on which could be erected the electric light works, as well as the public baths. The most suitable site was the one on the reclaimed land near the Central Wharf, but we were prohibited from using that, and thus our plans were disarranged. If we could have got that site, there is no doubt the public baths would have been under way by this time. With regard to the Dock Road site, as a site for public baths, we are in a state of uncertainty. There is so much obstruction in Dock Road by the railway trucks. Sometimes there are three or four lines of railway trucks standing there day after day, and it is a matter for serious consideration whether the Dock Road site is suitable for public baths. It would be the desire of the Council to erect some other buildings to surround the public baths to make them more attractive and also to have something of a revenue-producing nature of some form or other. All these things have to be taken into consideration. and we, as yet, have been unable to come to a decision.

12043. Have you authority to spend the money?—Yes, we have authority to raise £20,000 for a Jetty and Public Baths. That was afterwards increased to £25,000, and, by the last loan, it was again increased to the extent of £16,000 as a further increase for salt water swimming baths. Practically, therefore, I suppose we have some £26,000 or £30,000 which we can expend upon baths. We have not raised the money, but we have the authority to do so. We have only raised the first portion.

12044. In what condition is your Fire Brigade?—We look upon it as in a very healthy condition at the present time. Its maintenance costs the city about £11,000 every year. We have on our estimates provision for £10,100, but that does not include the rental value of the property occupied by the Brigade, which might fairly be taken to be £1,000 per year, at a low estimate, bringing up the figures to £11,100. We expect to receive back £2,400 for water supplied at fires and for fire services, so that practically the Brigade costs £8,000 each year from the rates to maintain. It is in a state of efficiency with which we have every reason to be satisfied. During the past eighteen months we have spent over £3,000 upon new plant and further buildings.

12045. Have you any idea of the total amount which the city has spent upon fire brigade plant?—I cannot tell that. I have not got the details, but I am able to say that we keep pace with our requirements. Every year we add further plant to the brigade.

12046. Can you get for us the value of your plant at the present time?—Yes, it will be possible to get it.

12047. How is the Town Hall progressing?—It is progressing, but, as you are aware, we have had considerable delay owing to the war. We first entered into a contract for the building of the structure at a cost of a little over £90,000. Owing to a very strong feeling having been given vent to by the various tradespeople that Colonial stone should be used in the building, we reconsidered the matter and entered into a further contract with the present contractors, giving them £16,000 extra to use Steenpan stone which was to be obtained in the Orange Free State, as it then was. That brought up the cost to about £110,000. Shortly after the new arrangement was made, the war broke out and then the contractors who had entered into some agreement with the quarry owners at Bloemfontein found it impossible to get a supply of this stone down to Cape Town. Every effort has been made both by the contractors and the Council to obtain the Steenpan stone, but we have not been able to do so. We were finally obliged to revert to our original proposal, to use Bath stone for facing the building. I should say that the Bath stone is to be used above the first storey. We consented to a change, for the

first floor of the building to be faced with granite, which the contractors were willing to put in at the same price as Steenpan stone. Since then, finding that we were unable to obtain Steenpan stone, the Council agreed to allow the building to be finished with Bath stone.

12048. *Dr. Gregory.*] Will not that effect a reduction in the cost?—No, owing to the loss of time and the increased cost, both of labour and freight, the contractors refuse to make any reduction in their charge. As the building is very urgently needed—it is a great want—we have been obliged to consent to the erection with Bath stone, and we are expecting that it will very shortly be here, and then satisfactory progress will be made in a short time.

12049. When is it expected that it will be finished?—I understood, four weeks ago, that the stone was then on its way, and I suppose that it is either now here or very near at hand.

12050. When was it decided by the Council to go in for Bath stone?—Between two and three months ago.

12051. You will remember when the Colonial Insurance buildings were recently burnt down?—Yes.

12052. The stone for their rebuilding operations arrived a month ago, did it not?—Very likely, but we were determined, if at all possible, to carry out our original contract. We wanted Steenpan stone and, until every effort had been exhausted, we were not prepared to make any alteration in the kind of stone. When we found, after communicating with the Military Commanders and others, that it was quite hopeless to expect a supply of this stone within any reasonable time, we had to fall back on Bath stone.

12053. Is it quite impossible to say when your building will be completed?—Personally, I think it will be completed within 15 and 18 months hence.

12054. Is there any time limit in the contract?—That is a matter for consideration by the Council when settling up. The circumstances, owing to the war, have been so very peculiar that we shall have to make all sorts of allowances—of course, reasonable allowances.

12055. *Chairman.*] It is really no fault of the Council that this delay has happened?—No.

12056. The money has been there and the Council have been willing to see the work finished?—Yes, we have done our best. If we had not listened, in the first instance, to the popular cry, our building would have been completed, but the cry for "Colonial stone for a Colonial building" received every consideration and the result has been the delay.

12057. *Dr. Gregory.*] Is the Steenpan stone better than Bath stone?—We considered so.

12058. So that there was some solid foundation for the proposed change?—Oh yes, there is no doubt about that.

12059. Are not your wash-houses situated too far away to be convenient for the public?—I have heard that said, and I may add that we have authority to spend £15,000 for the building of wash-houses in the town, the intention being to assist small householders who want to do their own washing, We propose to erect these new wash-houses at an early date: one at the Hanover Street end of the town, and the other on the slopes of Lion's Rump.

12060. Can you furnish us with a statement of the number using your present wash-houses?—Yes, the figures are published regularly.

12061. It was given in evidence by the Maitland Municipal authorities that there are a large number of washerwomen who come from Cape Town to wash under very improper circumstances in the Salt River, or rather the Black River. You propose to provide accommodation which will prevent that in the future?—As far as accommodation is concerned our wash-houses are not now fully occupied. There are days when very few are there, so that it cannot be said that full advantage is taken of them. Our intention with the new wash-houses is to make it more convenient for small householders to do their own washing rather than to assist the ordinary washerwomen.

12062. But as a matter of fact, are not these present wash-houses in a most inaccessible situation? Yes, they are somewhat far away, but then, before the wash-houses were built, the washerwomen used to go very much higher up the stream and wash there. Now that wash-houses are provided lower down, they complain that they are too far.

12063. Does not a considerable amount of nuisance result from the waste water of the wash-houses running into the storm water sluit?—I do not think so. I think that if any nuisance arises it is from the claim of those people who want the water for their garden purposes after it has passed through the wash-houses That is the only source

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that I can see from which a nuisance can arise. Passing into the Capel Sluit, as it does, the water can cause no nuisance whatever. Pipes lead the water direct into the sewers.

12064. With regard to your baths, it is proposed to take your water out of the Bay for bathing purposes?—That is just the point. If we could have got our baths upon the reclaimed land we felt that we should have escaped the point of the Breakwater, so to speak, and we should have got a direct flow of clean water coming in at which we could draw our supply. Now if we make the baths beside our electric lighting works they will be in that small bight, where there is very little circulation, and the water would not be so nice. That would raise the question as to whether we should not have a pumping station, say in the neighbourhood of Three Anchor Bay, and from that pumping station take sufficient water for our baths. It may be that we may find a more suitable spot than the one in Dock-road, so that instead of taking the water from the little bight, which I have referred to, we may take it from the pumping station. Then, again, will arise the difficulty of raising the temperature of the water. If we could only use the water from the condensers at the electric lighting station, it would be easy to raise the temperature and also be a very much more satisfactory process.

12065. As a matter of fact, the water in that portion of the Bay, and from where it is now pumped up, is very polluted?—I do not think it is so very bad. It is true that there is not much circulation in that portion of the Bay. I do not like it myself, and that is my objection to having baths in that neighbourhood.

12066. But, as a matter of fact, is not this water used for sea water baths in some of the hotels in Cape Town?—Yes, but not the water you are thinking of. The service pipe runs out a good distance into the Bay, so that the best water, in that neighbourhood, that we can possibly reach is obtained.

12067. And the same consideration of its pollution also applies further along the beach, so that people who know anything about it do not care to bathe even on the Woodstock beach?—I think that the reason there is not more bathing there is because of the inaccessibility of the beach. There is very little discolouration of the water there.

12068. But still there is a good deal of refuse floated up from the shipping?—There is a little, but not sufficient to really affect the bathing. It goes out with the tide again.

12069. With regard to your Jetty, is there any probability of it being erected?—It is impossible to answer that question. Whenever the Government are prepared to hand over the Central Jetty to us and give us the opportunity to go on with the work, we shall go on with it. Until such time as they do that however we cannot move. We have authority to spend the money on the work, but we cannot get the necessary permission from the Government.

12070. Is your Infectious Diseases Hospital being made use of to any extent by the public, voluntarily, now?—I am not in a position to say, but I think that Dr. Anderson could tell you. I believe that the hospital is being utilised, but I do not know to what extent.

12071. It has been open only for a few months, I believe?—(*Mr. Bosman.*) Although it has only been open a short time we have several patients in it.

12072. Would it not be an advantage if that Infectious Diseases Hospital was available for some of the adjoining Municipalities?—It depends on how you put that. It is very desirable that there should be a centre to which all such cases should come. There can be no doubt about that. But it is another question as to whether Cape Town should accept the responsibility and the duty of the whole Peninsula in that particular respect, without having the control over it. It would undoubtedly be of considerable advantage to the Peninsula if it was under one power, both for infectious diseases generally and for small-pox.

12073. As a matter of fact, the public has done in regard to the Small-pox Hospital at Rentzkie's farm what should be done in regard to an infectious diseases hospital generally, that is, they have all combined?—Practically there is no combination at all about it. It belongs to Cape Town, and Cape Town has agreed to take over patients from the other Municipalities under certain conditions. If the other Municipalities disagree with us, we can say the property is ours, we paid for it, and there is no combination about the business at all.

12074. They have combined in so far that they have used it for their cases of small-pox?—No, you mean that Cape Town has been very liberal in its treatment of the Peninsula generally in that it accepts outside patients so long as they pay a contribution.

12075. But there is a combination in that they use it?—We are quite willing to meet them in every respect, and therefore it would be an advantage in some respects. (*Mr. Bosman.*) I can tell you this, that the Sanitary Committee have written to the

various Municipalities to say that our Infectious Diseases Hospital is open to them, only provided that they pay something for the patients they may happen to send. We tell them that if they contribute, and we have room, we will take any serious cases that they send to us. They cannot expect us to build the hospital and employ a staff of Doctors and everything else of that sort, for the benefit of the other Municipalities, without any contribution. It would be grossly unfair to expect it.

12076. That is not the point which I was raising. I am pointing out that it is an advantage to have a general hospital for as many areas, or rather as large an area as you can get, and that the necessity has shewn itself in that there has been a combination, for they all use that hospital as a small-pox hospital for their cases?—They have made no other provision themselves for dealing with the disease.

12077. *Mr. Gurney.*] Is the Cape Town Fire Brigade responsible for the Sea Point district also?—No.

12078. It was, was it not?—At one time Sea Point contributed £50 per annum for the use of our Fire Brigade.

12079. That was up to 1899, was it not?—Yes, and then we erected, for their use, a fire alarm within their boundaries, so that the utmost rapidity in communicating with the Brigade should be provided whenever any fire took place. The Sea Point Municipality, however, refused to pay for that alarm, and when they made that refusal the only alternative for us was to remove it. We then suggested that it was better that there should be a sub-station of the Fire Brigade in the neighbourhood of Three Anchor Bay and we desired them to bear their proportion of the expenditure. We intended to control the station because we had a staff under an excellent Superintendent, and it was thought better that this sub-station should be under our own Superintendent. They declined to have anything at all to do with us, and, as £50 a year was an altogether inadequate payment, we notified them that they must make other arrangements of their own for the future.

12080. Have they done so?—I am not aware of their having made any preparation whatever.

12081. Have you attended to any fires in the Sea Point area since that?—I am not certain. We may have gone to Mouille Point, but that is really in the Cape Town Municipality.

12082. At any rate you have got no contribution from them?—None whatever. We get no contribution from them, neither do we get any contribution from the Insurance Companies, and I would be very pleased indeed to see introduced, in any future Bill, the power of Municipalities to levy a tax upon the premiums received by the various Insurance Companies. It is done in England.

12083. Do you not get anything for salvage services rendered by your Fire Brigade?—No charge is made. All that we can charge for is so much for the attendance of the Fire Brigade and so much per jet per hour for water actually used upon the burning building, according to the size of the jet. More than that, I do not know whether we have succeeded in getting anything, but we certainly intend in any future Bill to introduce a clause to the effect that the Fire Brigade shall be paid for whenever it is called out. As it is at present, the Fire Brigade is sometimes called out and goes to the scene of the fire, but when it gets there the fire is out. The result is that we cannot charge the Insurance Companies anything for the services of the Brigade. Another injustice in this connection is the fact that we cannot make any charge for services rendered to the buildings adjoining that which is ablaze. Very frequently in a big conflagration the services of the Brigade are almost entirely devoted to saving the adjoining property. The Brigade saves the property from destruction, but receives no payment for it. More work has been done to save the adjoining buildings than to put out the actual fire, but nothing is to be received for that service. Some alterations are certainly required in the matter of payment for Fire Brigade purposes. The Insurance Companies receiving premiums on buildings which have been saved from destruction by the efforts of the Fire Brigade, should be compelled to pay a reasonable charge for that service.

12084. Does not the lack of Fire Brigade arrangements at Sea Point and other places point to the desirability of amalgamation?—Most emphatically.

12085. It is one of the many arguments in favour of amalgamation?—Emphatically it is. The failure to provide fire brigade arrangements is a great piece of neglect.

12086. Are you generally very neighbourly with the Sea Point Municipality?—Very neighbourly indeed. (*Mr. Bosman.*) The whole difference was a matter of about a ten-pound note.

12087. Touching this matter of making the Fire Insurance Companies pay a tax on their premiums, would they not make up the tax by increasing their premiums?—

Messrs. Hayes Bell and P. J. Beeman. — 12th June, 1902.

They might to some extent, but what I want to shew is that it is a principle that is carried out in the Old Country. It has been adopted there very considerably, and, in fact, the tendency is to go even further than that. If there has been any motion on the part of the Insurance Companies in the direction of making the people pay an exorbitant rate of premium, the Municipalities themselves have suggested undertaking the insurance. This has been discussed in some of the Municipalities, and from what I can gather it is likely to come into force. We, therefore, have that to fall back upon if the Insurance Companies turn nasty.

12088. *Dr. Anderson.*] There is one point I would like to clear up, in connection with the City Hospital. Have you not been advised that it is barely sufficiently large to supply the needs of Cape Town alone?—Yes, I believe we have. I believe you stated that in a report.

12089. But it might be possible at times to accommodate a few outside cases and if so, upon payment being made, the case would be admitted?—Yes, that is so.

12090. But it is only fair to the ratepayers of Cape Town that they should have the first call?—That is quite right.

12091. *Mr. Stewart.*] Have you ever seen any of the large buildings in Johannesburg which have been built of Steenpan stone?—I have never been to Johannesburg, but I have heard a good deal of the stone. I do not know much about it, personally, beyond having seen a sample.

12092. On the subject of Fire Brigades, do you happen to know of the performances of some of the Suburban Fire Brigades in the past?—I cannot say that I know much from experience.

12093. But you know that they have not been what may be called an unqualified success?—Anything but that.

12094. Their performances cannot be compared with those of the Cape Town Fire Brigade?—No.

12095. It would be an advantage from every point of view to have one really good brigade with out-stations under one central control?—Yes, under one thoroughly competent man. I have a strong feeling in that direction.

12096. In fact, are not these little fire brigades in the suburbs little better than farces?—I believe that may be said of them.

FRIDAY, 13TH JUNE, 1902.

Present:

Hon. Sir W. Bisset Berry (*Chairman*).

Dr. A. J. Gregory.	Mr. W. E. Gurney.
Dr. A. J. Anderson.	Mr. T. Stewart.
Mr. J. E. R. de Villiers.	

Mr. Edwin John Earp (Mayor), and *Mr. William Alexander Batchelor* (Town Clerk), of Rondebosch, further examined.

Messrs. E. J. Earp and W. A. Batchelor. — 13th June, 1902.

12097. *Chairman.*] You reappear, Mr. Earp, in conformity with a request, issued by the Commission, in order to furnish certain amended financial returns?—Yes; we have those returns here.

12098. *Mr. Gurney.*] When you gave evidence on the 16th ultimo, Mr. Earp, you were asked to explain how it was that, although the accounts rendered showed receipts and payments, almost equal, and showed that you started with a balance of £230 17s. 5d., yet, in the balance-sheet, an overdrawn balance of £1,400 was shown. And you then consented to the matter being gone into by some officer, whom I should send down in order to settle where the difference came in. Since that I have sent you an account which has been framed under my supervision, and I now ask you whether you are satisfied that that is the correct account, which should have been handed in to the Commission?—Yes, I am quite satisfied that the account, which you have had prepared, is correct, and the Town Clerk has also gone through the figures; we now hand that account in as an amended return of receipts and payments for the last five years. [Return handed in.]

12099. Apparently the Clerk had before included only certain receipts and only certain payments, and not all, and that is really where the difference comes in?—Yes, that is so.

12100. And now the payments here amount to £45,792 3s. 3d., and the receipts to £43,142 7s. 4d., a difference of £2,649 15s. 11d. You started with a balance of £230 17s. 5d., and you therefore close with an overdrawn balance of £2,418 18s. 6d. ?—That is so.

12101. That shows that the overdrawn balance differs to the extent of £1,000 from the overdrawn balance in the balance sheet first rendered, and that is due to the £1,000 having been twice transferred, from the general account to the loan account ?—Yes, that is so.

12102. And consequently, the correct Loan balance is £1,180 19s. instead of £180 19s. as first shown ?—Yes, that is quite correct.

12103. The accounts have not hitherto been framed in accordance with the Section of the Act, but you will be able to ensure that they will be so framed in the future ?—I shall certainly endeavour to have that done, as far as possible.

Mr. Thomas Ball, C.M.G., further examined.

12104. *Chairman.*] Yesterday, Mr. Ball, we came as far as "alterations of areas or boundaries"; but on the previous day, we had some information from you, on the point of certain proposals, that had come before your Council unofficially, with reference to "the Cape Marine Suburbs Limited" estate, that being the Camps Bay area ?—Yes.

12105. And it seemed to us that the owners of that estate wish it to be a sort of special property for a special purpose, and they seem to object to its being incorporated within the Municipality of Cape Town, believing rather that it would be better, in their own interests, to create a separate Municipality in that neighbourhood. You intimated to the Commission, that the Corporation was very strongly opposed to such a proposal, but you thought, at the same time, that the reasonable views of the property owners in that locality should be met, either by the powers which your Council already possesses, or by powers which you propose to acquire from Parliament, is that so ?—Yes.

12106. Would you, generally, and without entering too much into detail, indicate what you regard as the powers which would be necessary, and which you contemplate acquiring with reference to this property or others of a similar character ?—Our powers, at present, simply consist in demanding that roads of a certain width shall be allowed, and also with regard to regulating the architecture which is to govern buildings in any neighbourhood, that is to say, we have the power to prevent any unsightly building being put up, as far as its architecture is concerned, but we have no power, for instance, to control the extent of the building plots, which are to be sold in the first instance. We have no power to say that, in a particular locality, properties, only of a certain value, shall be erected, or that the particular locality shall be reserved for residential, or any other special purpose. We have no power, in such a locality, to insist on the erection of such a class of building as would protect a locality, as a select residential area. We have, at the present time, no powers to do these things, and all we can do is to object to any proposed building, on account of its architecture; for instance, if Mr. A. erects a building worth, say, £5000, and his neighbour were to attempt erecting a building, which would cost only £150, then, architecturally, we do not allow that neighbour to erect his building. That is the extent to which we have the power to go. We, as a body, are quite prepared to offer every facility for the owners of such a property for instance as the "Marine Suburbs" at Camps Bay to safeguard that property, so that it shall maintain a standard of excellence and of value as a residential marine suburb. At present, our power is limited to a certain extent. This property is owned by the Marine Suburbs Company, and the Company will, doubtless, endeavour, at some future date, to turn this property to valuable account. Now, how far they would agree to be trammelled by any restrictions, which the Council might have to put upon them, in the interest of the better class people, is the question. But if these owners desire to impose certain conditions which would restrict the area either for business purposes, or for residential purposes, or anything of that sort, I am sure that the Council would be prepared to give them their hearty support; and, if the Council had the power to do so, to say that a certain area or portion shall be set apart for a particular purpose. We fully realise the necessity, here in Cape Town, of keeping certain portions of our city for certain special purposes. As I mentioned yesterday, in the Breda estate, there are certain portions which are set apart only for residential purposes, and certain portions only for business purposes. In that case, suggestions were made by the Town House officials which, I believe, have been acted upon. Even in some parts of the city, owing to want of proper safeguards and want of power in the past, buildings have deteriorated in value owing to inferior buildings springing up in close proximity to them.

12107. And what would be wanted in the new Bill would be provision to ensure that such conditions, as are deemed expedient and are agreed to, should have the full

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sanction of law, and, so to say, have permanency by law?—Yes, and then, in the case of a place of this sort, we should not want to place any burden of the responsibility of Cape Town upon it. It would be quite sufficient for such a place to bear its own burden for its own development. The Council should have the power to specially rate such a place for developing it as circumstances require.

12108. As a matter of fact, such method of special assessment is becoming a very considerable interest, in the large Municipalities, generally?—Yes, and it is very necessary that it should be so.

12109. And the point would be, I suppose, that the necessary agreement as to conditions could be made between the owners of the land, and the Corporation at the time when it is proposed to bring it under the jurisdiction of the governing Council. It could then be stipulated that the Municipality should carry out these conditions, so agreed upon, mutually, between the Council and the owners?—Yes. It should be introduced in that form, but, I think, there should be general power conferred upon the Council to deal with it. You will find that the strong desire of the Council would be to help people in such circumstances, especially, with the view of preventing property from becoming, so to speak, slums, and thereby being ruined. As I have already stated, that has been experienced in the Gardens part of Cape Town itself simply because the Council has no power.

12110. And, as far as the Camps Bay area is concerned, do you see any difficulty in supplying it with water?—None whatever.

12111. One of your water mains runs over that neighbourhood?—Yes, on the upper portion of it.

12112. And therefore it could be very conveniently supplied?—Oh, yes.

12113. And roads there could easily be made?—Oh, yes; there is a very large portion which could be developed. Our one condition would be to have the roads made of a proper width, so as to ensure keeping up the character of the place, in the interest of the health of the people and public well being.

12114. And sewerage construction?—Of course, that is a special matter. That would have to be looked upon from an engineering point of view, and would have to be dealt with separately.

12115. But still, from the point of view that the locality would profit by being amalgamated with the Corporation?—Certainly; it would have the advantage of the officials of the Corporation. Besides that, we have land adjoining that estate at Camps Bay, and we shall, in all probability, some day, put a portion of that land, which we own there, into the market. It is quite possible that that would be done as the Suburbs develop in that direction. And if it is put into the market, we should like to insure that it would retain its importance and character; we don't want to infuse an element which would destroy its value and deprive it of its beauty.

12116. Is there any other alteration in your area or boundary that you would like to say is desirable?—Not outside other Municipalities. Of course, you will understand that our point is simply that we do not want another Municipality established near our boundary.

12117. I am now thinking of your boundary on the other side—the Woodstock side. Does any difficulty arise between the City Council and the Woodstock Municipality, with reference to boundary questions?—I don't think there is very much difficulty with regard to that side, so far as boundaries are concerned.

12118. What is your relationship with what is known as "Salt River Outspan," on the Maitland Municipal estate? Was it not, at one time, proposed that it should be handed over to Cape Town?—It was.

12119. Was it not reserved as a sewage farm at one time?—No, that is the outspan area. When we discussed the drainage question of Cape Town, it was thought that we should be able to drain on to the Woodstock beach, where we have an outfall. We contemplated, at the time, carrying out our great drainage scheme along the same course. Expert advice was obtained, with regard to the feasibility of that proposal, and also with regard to the currents in Table Bay. But, I believe, that the Council came to the decision—after the expert advice which was given with regard to the currents in the Bay—that it would not be advisable to carry out the drainage in that direction. Another suggestion, then, was made, that there should be a sewage farm somewhere, and an expert was got out for that. We had Mr. Pritchard, first of all, and then Mr. Dunscombe, and the idea of a sewage farm was favoured. It was decided to get from Government this outspan area, rather than drain into the Bay, and plans were duly prepared. In the meantime, pits, for trying the suitability of the place, were sunk on the ground, and after that was completed, Mr. Dunscombe said that the ground was unsuitable for a sewage farm.

12120. You no longer lay any claim to that land?—Oh, yes; it is still ours. The Government suggested that we should utilise that piece of land for a location.

12121. But is it not included in the area proclaimed as the Municipal area of Maitland?—That may be so, but we are the owners of it.

12122. Have you title to it?—So I understand

12123. Do you know the extent of it?—It is a very large piece, but I could not say what the extent of it is. With regard to the suggestion made by the Government that we should establish a location there, we made certain enquiries, prepared certain plans and took certain levels.

12124. Do you mean on the area known as "Salt River Outspan"?—Yes.

12125. It comprises about 200 or 300 morgen?—Yes, it is a large area and near to our farm there—Rentzkie's farm.

12126. And you still regard that as Cape Town property?—Yes; the Agricultural Department have requested that it should be returned to them, but we did not accede to that request because we did not know whether we might not still require it for some purpose or other. I may say that, when it was suggested to establish a location on this piece of ground, Maitland objected to the establishment of a location, and, immediately after that, we received a request from the Agricultural Department to return the ground to them.

12127. Something will have to be settled about that ground, I take it?—I don't know; we are quite satisfied with it as it is

12128. It could be dealt with together with the general question of amalgamation, could it not?—I don't know. I don't think that it affects it, either one way or the other. It cannot be utilised for the purposes of a drainage farm, but, if there is any other public use to which it could be put, I don't think there would be any difficulty in coming to an agreement about that.

12129. If the area has been proclaimed as part of the Municipality of Maitland, and you have a title to it, it might lead to difficulty?—I don't see that. We own Rentzkie's farm, which is in their Municipality, or rather, it is in the same area. We own that, and we have title to it, but it has made no difference so far. Of course they may, as a Municipality, subject us, as owners, to certain conditions in connection with the ground.

12130. Is Rentzkie's farm within the Municipality of Maitland?—I think so, at any rate, it is very close to it.

12131. Do they rate you for it?—No, I don't think so.

12132. *Dr. Gregory.*] As a matter of fact, it is outside the area of the Maitland Municipality?—Well, in any case, it adjoins their area.

12133. *Chairman.*] The line between Woodstock and Cape Town, how does that run?—We join just outside the toll, and we run up to the mountain.

12134. That line has not led to any difficulties in any way?—No. There has been a little friction, with regard to the drainage in one part where, it so happens, that we have to take the drainage and they take the rates accruing from the properties drained. That is the only friction, but there has really not been much friction, even about that.

12135. Is there anything you have to say about the area on the mountain? Should the rights of the Corporation be extended, there, in any direction?—In that particular, I think, we should have more ground, seeing that we are so deeply interested in that locality, with regard to our water, and its proper protection and preservation. With regard to that, we should have control of all the mountain land in Cape Town, I think.

12136. You have not that at the present time?—No, but we have certain areas granted to us.

12137. As catchment areas?—Yes.

12138. You have no particulars, therefore, to lay before the Commission with regard to that?—No. Cape Town has got pretty well, so far as its city is concerned, almost all that it could wish for. It is simply a matter of development of the various issues that it has in hand.

12139. The foreshore of Table Bay is controlled, more by the Harbour Board, is it not?—Yes, that is a matter which is largely under the control of the Harbour Board and the Government.

12140. Are they responsible for its sanitary condition?—Well, as the owners, I presume so. According to the Act, the land between high water and low water, that is to say vacant land, was supposed to be under the control of the Municipality, and vested in them; but, owing to the recent decision of the Supreme Court, it does not appear that we have any right to that ground. We have spent a considerable sum of money in maintaining the beach clean. For instance, in one year we spent over £800, but, when it was decided that the property was no longer ours, we relaxed to a certain extent.

12141. Have you discontinued looking after it altogether?—Not entirely, but we have not gone to the same extent since. We, however, still spend a certain sum of money upon it.

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12142. If you discontinued it altogether, whose duty would it be?—I don't know, unless we could call upon the owners of the land to look after it. As a matter of fact, however, we are exercising every care over it even at the present time.

12143. *Dr. Gregory.*] What is known as the "Old Outspan," at Maitland, and which was granted to the Cape Town Municipality, could you tell the Commission whether you have actually got title to that ground?—I believe we have, but I could not say positively.

12144. Or was it only reserved for certain purposes?—No, I think we have title to the ground, because the Agricultural Department would not have demanded the return of it, in the form in which they did, unless we had title.

12145. Still, there is a system under which Parliament sets aside a portion of ground for certain purposes without actually granting title?—Yes.

12146. But at any rate the Council have no right to use that ground for any other purpose than as a sewage farm?—As I have before stated, the Government suggested that we should utilise it for the purposes of a location.

12147. But Government appointed a Commission to inquire into the most suitable site for a location, did they not?—We had a deputation before Sir Gordon Sprigg with a view to getting his assistance in obtaining a suitable site for the location, and Sir Gordon Sprigg promised that he would do his best. After a number of letters and communications between the Government and the Council, I think, Mr. Stanford, the Superintendent of the Native Affairs Department, was appointed to go over the Peninsula, for the purpose of looking for a suitable site, and, of course, he was sent by the Government; but, I believe, he reported that the only site was the Outspan, and that we already possessed.

12148. But you have not answered my question. Government appointed a Commission to enquire into the most suitable site, did they not?—Not beyond what I have stated.

12149. Will you believe me if I state that the Government did appoint a Commission?—Well, Sir Gordon Sprigg promised to look into the matter.

12150. That Commission enquired into the whole matter, and they took a good deal of evidence, and, amongst others, two members of the Cape Town Council were examined?—When was that?

12151. About two years ago. Mr. O'Reilly and Mr. Matthews gave evidence.—I am speaking of years ago—long before that. You are speaking of the time, since the instruction was given to the Council, that we should utilise the Outspan. But I remember the Commission of which you speak and, I think, Mr. O'Reilly was Mayor at the time. I was not called to give evidence.

12152. The members of that Commission were your own Health Officer, Dr. Fuller, Captain Jenner, Chief of Police, Mr. Stanford, Superintendent of the Native Affairs Department, and myself; and, as a result of their enquiry they recommended the present site at Uitvlugt for a location?—Was that recommendation sent to us, as a Council, Doctor?

12153. It was printed and published.—Still, I am speaking previously to that.

12154. At any rate, that ground is only legally granted to you for the use of a sewage farm?—That was the purpose, at all events, then.

12155. Now, it is quite certain that the Cape Town Council never intend to use it for that purpose?—I suppose they will use it still for some purpose.

12156. As a matter of fact, it is utterly unsuitable, and could not be used, for such a purpose?—No.

12157. You are aware that the ground is of very much importance to the Maitland Municipality?—Well, I suppose so.

12158. On several grounds, namely, that it breaks up, and cuts into two portions, their area for administrative purposes?—I suppose that is in consequence of the recent formation of the Municipality.

12159. No, it always has been that, under the Village Management Board; but another ground, why it is of importance to Maitland, is that it would supply them with a suitable commonage, as far as one portion is concerned, and that another portion would be suitable for building sites, which should be built over, so as to bring together the two portions of their village. Now, in view of the fact that the Cape Town Council cannot use it for any purposes of its own, and that it is of the utmost importance to the Maitland Municipality, do you not think that the Cape Town Council would be prepared to relinquish their title?—I don't know that we have any particular views upon the subject, just at present. We don't know what the development of our farm—Rentzkie's farm—would require, and the question is whether it would be advisable really to establish a village there. If it is to be in that form, which you speak of, I don't know that we should contest it.

12160. It is some distance from Rentzkie farm, and, as a matter of fact, there is a large community springing up close to Rentzki farm on your property?—Well, I don't

know that we should contest their taking it over, very much. At that time, we thought that we should use it for the purpose, which I have mentioned, but the necessity for that has been removed.

12161. With regard to the area on the top of Table Mountain, which constitutes your catchment area, at present there are no regulations in existence for preserving that area from pollution ?—I think we have submitted some regulations to you for approval, but I don't know whether you really have had time to look through them.

12162. Were they not published by the Government in March, 1899, but afterwards withdrawn on the resolution of the Council in July, 1899 ?—I don't think they were withdrawn, but they certainly were hung up. I don't think we got a reply. At any rate the regulations were not approved.

12163. Are the regulations not with the Council, and have been with the Council for several years past ?—They have been for the last two years possibly. Still, they were submitted to the Government, for approval, but, as far as my memory serves me, they were not passed, and, I believe, the reasons given were that they would interfere with the rights of the citizens. Of course, that is, as far as I remember, but I cannot speak, off hand, on the subject.

12164. But it is very necessary that some regulations should be framed, is it not ?—Certainly ; and I think very stringent regulations should be framed.

12165. To protect that area ?—Oh yes, I quite agree with you there.

12166. Although very drastic ones might not be necessary, some simple regulations are required ?—I don't think you could make regulations too drastic for a thing of that kind.

12167. You were saying just now, Mr. Ball, that you considered, and that the Council considered, that they should have power to decide what class of house should be built in any particular locality of your town, and what particular use it should be put to ?—Yes.

12168. And that you should have the power to say that a certain locality shall be entirely residential, and that there shall be no business premises or shops ?—Yes.

12169. Now, do you think that that power is altogether advisable ?—I think it would be in the interest and for the benefit of the community. I think such power would be used with considerable discretion, and it would really only be used in the development of new estates, because I don't mean to say that such power should be retrospective. It certainly could be used with very great advantage in the development of new estates, both to the people who sell the land and to the city generally.

12170. But don't you think, as a general principle, that the government of the people should be, as near as possible, consistent with what is absolutely necessary for the conservation of health, good order and good government ?—Would not that be part of it ?

12171. Don't you think such a drastic step as that is rather going beyond what should be done by a Council ?—No, I really don't think so. I think that some power is required to enable the Council to deal with the division of lands and of new estates. You find, to-day, that a great many small plots are sold which it is impossible really for the people to utilise with advantage in keeping up anything like a decent class of building in the localities concerned. The result is that, by the erection of such inferior buildings, the rest of the property is deteriorated thereby, and the only action the Council can take is the one I have quoted to you, namely, controlling the architectural feature of the plot.

12172. And its efficiency for health purposes and proper living ?—Yes.

12173. Now, those are very wide powers in themselves, are they not ?—Yes.

12174. Now, can you call to mind any other local body that has the power to go beyond these powers you have mentioned ?—I don't know that I can give you any illustration.

12175. You have lived in Cape Town many years, and you have seen its growth and development ?—I have.

12176. You are perfectly aware that what has originally formed a residential neighbourhood has, without any pressure being brought by the Council, gradually become a business neighbourhood ?—Yes.

12177. So that any rules that you might lay down in regard to any particular area can have no stability ?—Of course, if the residents are driven out of town. But it is a power that should be in their hands, and, if put into their hands, they could enforce it where they deem it advisable to do so.

12178. Now, you stated that the Cape Town Council was instrumental in regard to certain conditions being put into the conditions of sale of the plots of ground, which were sold at Breda's Estate, up at Orangezicht ?—Yes.

12179. Are you aware that one of those conditions is that no coloured person can occupy any house built on any of those plots ?—Yes.

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12180. Do you think that such a condition as that, is either legal or just?—Dr. Gregory, you have no right to put questions like that. It is not a fair question.

12181. Was that one of the conditions advised by the Town Council?—I cannot say; I don't know.

12182. With regard to your boundaries, they are somewhat irregular, are they not?—They dip right down to the sea at the Camps Bay side, and they cut into the Sea Point Municipality, in regard to the portion which is called Green Point and Mouille Point, do they not?—Yes, they are very irregular there. From Boundary Street you take the one side of the road, that is to say, the left side, and you find that all the properties on that side are in the Green Point and Sea Point Municipality, whereas all the property on the right side of the road, including the Commonage right up to Three Anchor Bay, is in the Cape Town Municipality.

12183. And that really causes a certain amount of difficulty of administration, does it not?—Yes, I think it has not been to the advantage of Green Point and Sea Point.

12184. So that you would be prepared to endorse the opinion that either the whole of that part should belong to Sea Point, or rather should be controlled by Sea Point, or that Sea Point should be controlled by Cape Town?—I am prepared to say that it should be controlled by Cape Town, but I am not prepared to say that that portion of Cape Town Municipality should be controlled by Sea Point.

12184 (a). Still it somewhat follows?—No, there is no analogy.

12185. *Mr. Gurney.*] Any difficulty with the piece of land at Maitland, belonging to Cape Town, and which is desired by the Maitland Municipality, would, of course, disappear when amalgamation takes place?—Not necessarily, but I don't look upon that as a difficulty.

12186. Still the question would no longer arise, if it were one Municipality?—You mean if Maitland were attached to Cape Town.

12187. Yes, I am speaking generally of amalgamation?—Oh, yes; in that case certainly.

12188. *Dr. Anderson.*] With regard to this land at Maitland, belonging to the Corporation of Cape Town, there are other uses to which it could be put besides a sewage farm, such as, for instance, open spaces for the people?—Oh, yes; a portion of it should be retained as an open space. As it is, we have too few open spaces. I may say that part of our scheme of reclamation, had it gone through, was the idea of setting apart a portion in order to convert it into a Park, with an artificial lake, for the people. That is, the reclamation scheme in connection with the ground at the other side of Woodstock. That was the idea of the Councillors.

12189. Then with regard to the sanitation of the foreshore of Table Bay, does it not give rise to a difficulty, owing to the foreshore not being under the Municipality?—I think, from a sanitary point of view, that it ought to be vested in the Municipality. In fact, it is my opinion that the whole of the foreshore, including the Docks and everything else, should be placed, so far as its sanitation is concerned, under the Health Officer of the town. I also think that it is absolutely necessary that the visitation to ships should be placed in the hands of the Health Officer of the town. There should not be dividing authorities there.

12190. You think there should be a properly constituted Port Sanitary Authority, and that Port Sanitary Authority should be the Municipality of Cape Town?—Yes.

12191. The same as is done in places like Liverpool, Glasgow, and other places?—Yes.

12192. At the present time, is there any properly qualified officer who would carry out the duties of the health officer for the Port?—I understand that there is a health officer who is telephoned for occasionally to come down and visit the ships, but I certainly am of opinion that that is a duty which should devolve upon the health officer of the town, especially now that we have a permanent official.

12193. Then in regard to the question of joining the portion of Cape Town, which extends Mouille Point way and includes the Common, to the Sea Point Municipality, there would be a strong objection on the part of Cape Town, on the ground that certain institutions belonging to the Corporation are built upon it?—Yes; and then if that were allowed it would be the small Municipality absorbing the larger one, instead of it being exactly in the opposite direction. I think it would be greatly to the interest of the smaller Municipalities to be absorbed by the Cape Town Municipality. I don't say this because Cape Town will reap any benefit from it, as I don't think we shall derive any advantage, but I am approaching the question from the point of view of the general benefit of the Peninsula.

12194. *Mr. Stewart.*] You have referred to some additional areas on Table Mountain, Mr. Ball, which it might be desirable for the Council to control for water supply purposes?—Yes.

12195. Have you been advised that there are some small areas, which can be utilised to increase your water supply?—Oh yes, we have.

12196. And is it within your knowledge that the Council have been advised that it is desirable to secure a strip of ground outside your catchment area, as wide as possible, for the purpose of protecting and preserving your catchment area from pollution?—Yes, we have.

12197. Do you remember some steps that were taken, years ago, with the view of removing some of the employés in the service of the Forest Department, on Table Mountain, in the catchment area?—Yes.

12198. And they were employed by the Government, through the Forest Department?—Yes.

12199. And their habits of cleanliness were not such that they could be looked upon as desirable persons to live inside the catchment area?—That was the opinion expressed.

12200. And, I think, the engineer of the works on Table Mountain drew attention, very strongly, to the disgraceful state of affairs existing at the caretaker's house, that is, the caretaker employed by the Government?—Yes.

12201. And do you remember the gist of a report made by the medical officer of health for the Colony on that and kindred subjects?—Well, I can scarcely tax my memory as to the details of that report, just now, but as far as my memory does serve me, it appeared that the difficulties were somewhat exaggerated with regard to the danger arising from the habits of the people in this catchment area. That is what I think now, but, as it is some time ago, I cannot remember what the details were exactly.

12202. Attention was drawn to the fact that the drainage from the caretaker's house seemed to go into the stream?—Yes, I remember that very well.

12203. Of course we can get that report?—Oh yes, you can easily get a copy of that report.

12204. The engineer of the works, since that date, has recommended on several occasions that very stringent steps should be taken for the protection of the catchment area, without interfering with the rights of way on the mountain?—Oh yes. There was a great deal of trouble, some time ago, in trying to introduce those regulations, but the rights of the citizens were protected, especially, so far as pathways, existing and also pathways authorised to be cut, were concerned. We took care to give every facility for those citizens who desire to go up the mountain, and still protect our catchment area.

12205. The Council endeavour to protect the water supply, to the best of their ability, without interfering, in any way, with the rights of the citizens?—Yes, that is so.

12206. *Chairman.*] On the question of amalgamation, Mr. Ball, we should like to have your views. I suppose, you have thought a good deal about the difficulties, that are engendered by the multiplication of Municipalities in this neighbourhood?—Oh, yes.

12207. And from your experience, you have been, more or less, convinced that there are very serious disabilities arising in that connection?—Yes.

12208. Would you kindly explain some of those disabilities, in your own language?—I think, in the first place you would have had a system of drainage, and general lighting scheme long before this, had these things been associated with a large Municipality, because that is one of the first considerations that would have been gone into. The second consideration is, I believe, that you would have had a more ample water supply. That, I think, would have been in existence to-day, had there not been so many small Municipalities. Then, there is another consideration, which has already been brought up, and that is the necessity for the establishment of an Infectious Diseases Hospital in order to deal with cases of infectious disease. In that regard, we should have been in a far more advanced stage and facilities would have been offered to the people in the various areas without much difficulty. It is very necessary that an Infectious Diseases Hospital should be established for the whole area of the Peninsula, and one such institution would be ample for all, and ought to be worked for the combined Authority. With the existence of all these Municipalities and, in the absence of one large one controlling the whole thing, you can see what difficulties arise. All these separate Municipalities desire to get out of their responsibilities in matters of this kind and throw them upon the city, and that is why we have not advanced further in that respect. Then there are the questions of the Fire Brigade and of the lighting of the towns; these are features which would have been provided for, in my opinion, to the advantage of the citizens, generally, if we had had a combined instead of a divided Authority. But, more particularly with regard to the width of roads and open spaces; the growth of the town and of the suburbs, during the last ten years, has been amazing, and it is very unfortunate that there has been a tendency to minimise the interests of the people with regard to the width of roads and, consequently, the general health

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of the inhabitants. That is very important indeed. I mentioned the other day of the case of Sea Point, which is a beautiful suburb, but having so few approaches from the main road up to the hill it has really been spoilt. And you may almost say that whatever approaches there are are nothing but narrow alley ways from 16 to 20 feet wide. If there were one large Council, that would never have been allowed, because Cape Town will allow nothing less than a width of 40 feet, in the construction of roads, in subdivided estates. It is a most important and essential thing that these matters should be carried out for the benefit of the people, and that there should be uniformity. We have to look ahead. The position is not what will do for a day or two, but we must look to the future. We see, at the present day, how people desire to build two and three storey houses because of the increased value of land. Thus, with narrow streets, reducing the air-space, it becomes very difficult to deal with these things, either for protection by fire or for sanitation. These are matters especially to be considered by a large Municipality, and by it they would be effectively dealt with.

12209. Generally speaking, you regard that the whole area, from Camps Bay to Wynberg, is an area occupied by people who have common interests, common responsibilities, and who require common services provided for them?—That is what I think.

12210. And that points to the desirability of the whole area being placed under one jurisdiction and control?—That is what, I think, it must come to eventually.

12211. And the fact that it has not come up to this time, has, in your opinion, seriously delayed and hindered matters in regard to the supply of such services as ought to have been supplied long ago?—Yes, that is my opinion, but there are other reasons too. Of course, one of the great objections naturally has been, on the part of these Municipalities, that if they are attached to Cape Town they would have to be responsible for the Cape Town debt and pay Cape Town rates. But——

12212. If you will allow me, I will come to the objections later on, but I want, first of all, to get your ideas as to the dangers and disabilities which exist, owing to the existence of so many small Municipalities?—Yes.

12213. Now, is there any other disability that you can mention, owing to the multiplication of Municipalities?—I think they are pretty well embraced in what I have stated, and those difficulties have created a good deal of trouble.

12214. Now then, presuming that we have arrived at some general idea of the disabilities that have been created, we will take the objections that are urged against amalgamation, and you have just referred to one of those, namely, the question of the debts of Cape Town and the rates levied upon the people?—Yes.

12215. The indebtedness of Cape Town is pointed to by people as a reason why they should not be incorporated with the City?—The fact of the matter is, that these people who raise that objection have never taken into consideration the real position which Cape Town occupies with regard to its assets. These outlying Municipalities are not in possession of any of the things that I have just mentioned, such as water supply, drainage, fire brigade, and lighting. But all these things Cape Town has, and they form a very valuable asset, practically, revenue-producing assets to the City. We have had to pay for these things in the past, and the burden has been laid upon Cape Town, but fortunately we are coming to the end of that now, that is to say, as far as drainage is concerned, we are having the system perfected, and all that really remains would be extension, which would not be an item involving a serious amount of expenditure in the future. The result of that is that our rates in the future would be less than those rates which are demanded in the suburbs. In the suburbs all these things have still to be provided for, and because of the fear of increased rates there they are not provided. These are difficulties which will have to be faced, and I say you want a strong body to insist upon their being carried out. There is, of course, the strong objection to the people being more heavily taxed, in order to provide these improvements, but the health of the people must be considered. In their case also, like in Cape Town, the expenditure would, in course of time, disappear. It would not be a recurring responsibility, and, like Cape Town, the taxes in the suburbs would in time come down, that is to say, when once they have these revenue-producing assets. But there is another reason: I consider that we could collect the rates very much better than these Municipalities. I have an abstract here, from the statistical register, with regard to the payment of rates during the 10 years, from 1889 to 1899, and you will find from that, that the percentage of rates, outstanding or uncollected, in these different Municipalities during that period shews a state of things which points very much to the advantage of the larger Municipality, at all events.

12216. You are now speaking of Municipal rates?—Yes. The percentages of outstanding rates in this return are given as follows: Cape Town, 3·12; Green and Sea Point, which is a small Municipality, 2·25; Woodstock, 1·94; Mowbray, 17·9; Rondebosch, 3·86; Claremont, 1·38; Wynberg, 38·40; Kalk Bay, 37·36; Simonstown, 30·30.

12217. Do you mean the nett amount for the 10 years?—No, that is the yearly average. I will hand you the return to look at. It is merely an extract copied from the statistical register.

12218. Do I understand you to say that you believe that the objectors to amalgamation raise the question of the high, or supposed high, indebtedness of Cape Town, rather from the point of view that they want to shirk carrying out these improvements and needed public works, than from any solid belief that they would have to share liability for the debt of Cape Town?—That is my opinion.

12219. As far as the indebtedness is concerned, if it really arises from differences of services supplied to any area, don't you think that such an objection could be got over by provisions for differential rating?—Yes, I am firmly of opinion that you would be obliged to introduce that in any amalgamation scheme. I don't think you could carry out the system of taxation obtaining in Cape Town throughout, whatever portions, or areas, might be joined on to it. You would have to deal with those portions on different lines.

12220. One witness we had here urged the belief that differential rating would be an absolute bar to amalgamation, but it does not strike you in that light, does it?—Not at all. I consider it is the opposite way entirely.

12221. And there would be nothing to hinder a system of differential rating being applied to every unit at present existing?—I don't see any difficulty at all.

12222. Now with reference to the debts: Suppose that we were to amalgamate the whole of these Municipalities and that we were to find out, as we probably will find out, that the debt, both the present debt and the prospective debt, is to be a considerable sum, would you be in favour of suggesting that a Government guarantee might be given for the consolidated loan?—Yes, if it were necessary.

12223. Don't you think that, if that were done, it would be likely to diminish the rate of interest payable or that it would facilitate the conditions on which money could be borrowed?—Of course, as far as Cape Town is concerned, its credit stands high, and we have always been able to raise money on very favourable terms. We have had no difficulty in raising money at $3\frac{1}{2}$ per cent. in the loan market. Whether the Government would be able to raise money at a lesser rate I am not prepared to say.

12224. Suppose we amalgamated all these Municipalities and are obliged to borrow large sums of money for carrying out necessary works, would it not be better to have a Government guarantee? At any rate, you will agree that a considerable sum of money will be required?—Yes.

12225. And it is supposed that, if the Government guaranteed the interest on that amount, it might be raised on more favourable terms?—Yes, it is possible.

12226. I don't mean to say that the rates and property of the amalgamated Municipality would not be sufficient security for the debt, but you know that money lenders are sometimes nervous?—That is so. But we have an asset, probably of £3,000,000, in Cape Town, that is to say, besides all our rateable property—which is a very valuable asset,—and our indebtedness, at the present moment, is only £1,000,000. If necessary, we are authorised to go up to over £2,000,000. I think that the money lending people, generally speaking, would look upon Cape Town as satisfactory security when a loan is floated. They would not notice the suburbs very much in the matter. I think Cape Town stands so well, that there would be no very great difficulty, but it might be that if the Government were at the back of the Municipality we might get the money at 3 per cent. instead of at $3\frac{1}{2}$ per cent.

12227. And you don't think the credit will be lessened in any way by the amalgamation?—I should not think so.

12228. So that, your view would be that the Government guarantee might not be necessary at all?—No.

12229. But, if it were, would you be in favour of it?—Oh, yes.

12230. And would you be in favour of making any concession, supposing that a Government guarantee were necessary, seeing that, by getting a Government guarantee there would be a reduction of interest?—What form of concession do you mean?

12231. Supposing the Government were to insist upon representation on the united Council, that is to say, by having one or two members upon it?—I don't think that would be advisable.

12232. The question of Government audit of accounts?—Well, you see, at the present time, you really have that, because there is an auditor appointed by Government who audits the accounts together with our own auditor.

12233. And that you think is sufficient?—I think so, but, of course, on the larger Council there would be more work, and the two auditors would require larger remuneration; I think, however, their audit would be quite as effective as the Government audit.

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12234. Rather than submit to conditions of that kind, you would prefer to manage your own affairs yourselves?—I think, it is preferable to allow the local people to look after their own affairs. I don't see that any advantage would be derived from any further conditions of Government control.

12235. I am putting these questions, because it has been suggested here by witnesses, on whose opinions considerable reliance could be placed, that it would very considerably help amalgamation, if the Government were to assist in some such way?—I have not looked at it in that light myself. It might, however, but I don't think there would be any difficulties, as far as that is concerned, that I can see.

12236. You don't think that the advantage would be so great as the disadvantage?—I think, the people would prefer local self-government.

12237. Well, there is another objection raised to amalgamation, based upon the almost certainty of neglect of the smaller areas by the larger Council. The Councillors in the smaller areas urge upon us that they are the best body to look after little local matters, and that these Councils really do exist for the purpose of looking after local matters. Now, do you think that this is an objection which is seriously founded?—No, I don't think so, but I think that in any form of Municipal Government which may be established, it would be necessary to have a local Committee in each of these localities, such a Committee to have certain powers to deal with the smaller matters which would be delegated to them. They would not enter into the larger questions.

12238. You would have these areas very much as Wards with local Wardmasters, for instance?—Local representatives from each part; I should not deprive them of a Committee, and I would not prevent them from bringing up an estimate for the services which they might require to carry out under their powers, these estimates to be approved of by the central or larger body. I must say, that I do not see any serious difficulty there, but, of course, these localities must be represented on the larger Council.

12239. And you would be able to have a large Council without, at the same time, having the number of men who are at present engaged in the Municipal government of the Peninsula?—Yes.

12240. There are at present about 90 men employed?—Oh, yes; too many altogether.

12241. An amalgamated Council might get along very well with 30 or 40 men?—I should be prepared to go up to 50. We know, from experience, that there is always a fair percentage of them absent, and you have got to provide for that. Men serve for two or three years and then they want a holiday, and you cannot prevent them, especially seeing that they are not paid men.

12242. Ought Cape Town, being the larger unit, to become dominant partner, comparatively speaking, in the concern?—I think Cape Town would rather look out to the possibility of the reverse being the case. They might be afraid of being dominated from the other side.

12243. Is it not a fact that a very large proportion of the people who carry on business in Cape Town have an interest in the suburbs?—Oh, yes, a very large proportion.

12244. Is it not very often the case that the Mayor of Cape Town and some of the Councillors live in the suburbs?—Oh, yes.

12245. The present Mayor lives in the subnrbs, I believe?—Yes, he lives at Rondebosch.

12246. So that, really, there is no separateness of interest as between Cape Town and the suburbs?—No, we have, at present, Councillors living in Sea Point.

12247. And it is all one common interest?—Oh, yes.

12248. Is there no other objection that you have heard of against amalgamation, that we might have a word from you upon?—No, I don't think so.

12249. You think that the amalgamation would tend to hasten the completion of the works that should be carried out?—Oh, yes. When I first entered the Council the question of a drainage scheme was mooted for the suburbs. The Cape Town Council were approached by the suburbs, who wanted to know whether we would allow them the advice of our engineer, Mr. Olive, who was supposed to be a drainage engineer, and, in fact, is a drainage engineer. We agreed to accede to their request provided that each of the Municipalities should pay a certain proportion of this engineer's salary, the Cape Town Council paying the larger half. There was every appearance of the business then going through, but what was the result? There were five Municipalities to decide the question, and they were unable to come to a satisfactory agreement, with the result that this gentleman was, practically, thrown out of employment. If it had been one large Council this difficulty would not have arisen. I am now speaking of five or six years ago. The proposal was, as far as I recollect, that Mr. Olive, instead of being our exclusive engineer getting £1,100 a year, should give his advice to these Municipalities

and that Cape Town should pay £600 towards his salary, and that the Municipalities amongst themselves should pay £500.

12250. And it fell through?—Yes.

12251. And the smaller Municipalities would not be able to employ a staff of first class men, which is absolutely necessary to carry out these works?—Exactly. Had it not been for that, we would have been much further advanced.

12252 Is there any serious trouble arising from the diversity of regulations of the various Municipalities?—No, I don't think there are any very serious difficulties in that regard. I have pointed out what I really think are the difficulties.

12253. I suppose an Act of Parliament would be required to amalgamate these bodies?—Oh yes, I am quite sure of that. It could not be done otherwise, and I am perfectly certain it would never be done by united action.

12254. It could not be done by proclamation extending the boundaries?—That is a legal point, of course, that would have to be gone into. But in any case you would require to introduce special powers of rating, and so on, and that could not be done by proclamation, so that in any case you would require an Act of Parliament.

12255. *Dr. Gregory.*] With regard to what you speak of as an amalgamation, Mr. Ball, do you mean, really, an amalgamation of the suburban Municipalities with the Cape Town Municipality, or do you mean the constitution of a re-organised body for the whole local area of the Peninsula?—I mean amalgamation with the Cape Town Council.

12256. You mean the Cape Town Municipality to remain, practically, as it is, with such additional powers given to it as would enable it to absorb all the others?—Oh yes, with additional members and additional powers.

12257. In your opinion, do you think that that would be favourably received by the other local authorities?—No, I don't think so. At any rate, they have not shewn any disposition yet, but I must say that there are men in the suburbs who are deeply interested in the matter and who feel that it is the correct thing. For instance, the late Mayor of Rondebosch refused absolutely to sanction a vote with regard to the Divisional Council, because he said that it was necessary that there should be one body.

12258. There seems to be a general consensus of opinion that there should be one large local authority for all these local areas?—Yes.

12259. And there also seems to be one general opinion that they will not amalgamate with, and be absorbed by, Cape Town?—I think, so far as the suburbs are concerned, there is a general disposition of that kind and, I will say, that we are not anxious to force them at all. We are quite happy as we are.

12260. So that, if that most desirable object is to be attained, it is much more likely to be attained by creating an entirely new corporate body to deal with this large amalgamated area, than by simply proposing to absorb them into Cape Town?—I am afraid you would then have very great difficulty.

12261. From what quarter?—From Cape Town itself.

12262. Is there not then a danger of nothing being done, owing to the other local authorities objecting to be absorbed into Cape Town, as Cape Town is at present, and owing to Cape Town objecting to any reconstruction of itself?—I think that, unless you can show some very good ground why Cape Town should be altered, it would be inadvisable to do so. Has it not done its work well, and has it not been competent to do it well? What has the city to gain from amalgamation? I say we have nothing to gain, and we are merely looking at the general benefit which would accrue to the whole Peninsula. We look at the development of the country, and we say that our system of Government in Cape Town has been very satisfactory. We have shown ourselves capable of dealing with the great questions which have arisen to be dealt with, and, under those circumstances, we should strongly resent any alteration of our position, unless for good cause shown, and unless it were to help the others, and we believe that as regards that our situation is quite safe.

12263. You consider that Cape Town would not benefit by amalgamation?—Not in any way.

12264. And that you are really sacrificing yourselves for the good of the Peninsula generally?—Yes, that is my candid opinion.

12265. If that opinion were generally held and acted upon, don't you think that no amalgamation would result?—It must be by Act of Parliament. It must be what the Government sees is necessary in the interests of these people. You have got to say to these people, "This or that has to take place." If Cape Town has shown its utter incapacity to deal with the questions which arose, then I say it would have been a justifiable position to take up—that we must reconstruct. But, seeing that that is not so, and that Cape Town has effectively grappled with these large questions, then it becomes a matter within the province, either of this Commission or of the Government, to say to these Municipalities, "We attach you to this larger Municipality, which has done its work well, where you will have proper representation and you will be properly

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protected, with regard to your rights, and you will be rated according to your requirements, but it is essential that you should belong to a strong body." I am sure that then there will be no difficulty in raising funds. If either of the small Municipalities were to go and attempt to raise funds it would be far more difficult for them than it would be if it were done by Cape Town.

12266. But now, you admit that very drastic changes would have to be made in the constitution of the Cape Town Municipality and that its rating powers would have to be materially modified?—Its own rating powers would remain.

12267. On the general supposition that the rating power, or differential rating power, would have to be given; that your Council would have to be enlarged in the direction of the Ward system, which would have to be, more or less, adopted; that you would have to have subsidiary Councils to deal with local circumscribed areas and local matters in these areas; that the size of your Council would have to be increased and that, generally speaking, much wider and more varied powers would have to be accorded to your Council. Now, what is the difference between according these powers to your Council and reconstituting the Council as a whole?—There is very considerable difference. You will find in the old country that Municipalities, here and there, are annexed, and still they don't talk about reorganisation or reconstruction. They simply attach those Municipalities to another and give them representation. But now, you say, you want to abolish us and begin afresh.

12268. But you cannot carry on this work without a certain amount of reconstruction?—We say additions, not reconstruction. If we attach these areas to our Municipality they would be fully protected, as far as their rights are concerned. We also say, that we should have the power, in every instance, to levy such rates in these local areas as would be required to carry on the work in connection with them. That is all the power that we want. But there we take our stand and, for the simple reason, that Cape Town is not going to bear the expense and burdens of the outside Municipalities. It ought not to be called upon to bear a charge of that kind.

12269. Then no steps should be taken that did not result in the absorption of these areas into the Cape Town Municipality?—Well, of course, that puts it in a very wkw rd position. If you insist on using the the word "absorption," then the objection and irritation would be very great. We are willing to meet them, and associate them with our Council and do all we can for them, but I should be very sorry if they were to have the feeling that we should be swallowing them up. I would rather things remained as they were than to see such bad feeling.

12270. Then you are prepared to accept such a modification as will be necessary to meet susceptibilities, as well as actual requirements of the suburban Municipalities?—Well, I have put the case as plainly as I possibly could. You are not going to cut down the stump of an old vine, you should rather join on because, you know, there is plenty of sap in the old vine still.

12271. *Mr. Gurney.*] As a matter of fact, it would be an advantage to a more or less crowded city, like Cape Town, to be directly associated with a number of country and marine suburbs, where you could improve the general condition of the inhabitants?—Of course there is the general advantage and they would have the benefit of our advice.

12272. And it would be an advantage to Cape Town also?—Oh, yes.

12273. *Chairman.*] These bodies you propose to take in as your equals, with equal rights, believing in the advantages which you will all obtain by becoming a larger body, and also in the advantages which they will obtain by joining you?—Exactly.

12274. *Mr. Stewart.*] Can you point out any particular advantage to Cape Town from the incorporation of any of the adjoining suburbs?—No, I think I am pretty clear upon the subject that we will derive no benefit, but I am taking the broader view—that it would be a great advantage to the Peninsula, generally, if there were a larger Municipality to deal with the whole area for the common good.

12275. But it would be of no special advantage to Cape Town?—No, none at all.

12276. And do I understand from you, then, that you would favour amalgamation by mutual consent and not an amalgamation by any coercion?—I would rather that it took place by mutual consent, but I think that such mutual consent would not be got, and that the powers would have to intervene. I believe that it would be readily accepted in that way, but, if left to the decision of the people themselves, there would always arise, naturally, a strong local feeling with regard to any interference with their rights and any dictation with regard to their affairs.

12277. And you consider that if the conditions of amalgamation were scheduled in a short and concise form, so that the people would really understand the advantage which they would gain, then they would amalgamate much more readily?—Well, many of them understand already a good deal of it, but it might help some of

those who really do not go deeply into these questions; I am certain, however, that those who lead the van fairly well know what the advantages would be.

12278. *Chairman.*] Would it be your view that the longer this matter is put off the more difficult it would become?—It ought to be put an end to at a very early date.

12279. Do you think there is a stronger feeling now in favour of amalgamation than there was five or six years ago?—Yes, I think so. I know that many of the men in the suburbs say, "We know that it is coming; we feel that it must come, but still we are not going to encourage or hasten it."

12280. Would you be prepared to admit that the infusion of a large element from the suburbs into the Cape Town Council might introduce a better tone or, at any rate, shall we say, a different tone, into the Council itself, or bring in an element that might in that way enlarge every member's views, or make the Council a more appreciated body in the metropolis?—One cannot ignore the fact that it would be an inducement to men of leisure, who might be inclined to take more interest in a body of that kind, than at the present time. It would be a larger Council and, of course, would have more attraction.

12281. Don't you think that, as a whole, you would get better or rather more leisured men to come on to the Board?—I don't know that you would really get better men, but you certainly would get men of leisure, who would be able to spend more time upon the work. There would be greater inducements for them to do so.

12282. Would there be any difficulty, do you think, in getting representatives from the suburbs, as far as time is concerned, to give their attention to Municipal work, because the Council meetings would, I take it, be held in Cape Town, and the men would have to come six or seven miles?—I think we should largely have to depend upon the leisured class of men, more so than upon the business men, who cannot give the same attention to the work. But, of course, a larger Municipality would be looked upon as of much greater importance, and men, who can afford the time, would, perhaps, be more willing to undertake office and the duties in connection with it.

12283. *Mr. Gurney.*] As a matter of fact I daresay you know that in the suburbs meetings are held in the evening, because they cannot get the Councillors to come during the day?—Yes, and that is what I meant when I said men of leisure. There is a great objection to meetings being held in the evening, besides, it is not fair to keep your officials in the evening after doing a hard day's work. It is my feeling that men who go upon the Council should be able to devote their time to Municipal affairs during the day.

12284. *Chairman.*] With reference to the Divisional Council of the Cape, are you a member of that body?—No.

12285. Have you ever been a member of it?—No, I have had nothing to do with it.

12286. Have you given no study to matters in connection with the Divisional Council?—No, but I was appointed on the Committee by the Town Council for the purpose of discussing the question of reforming the Divisional Council

12287. I presume that, strong advocate for representative government as you are, you would be of opinion that some representative body would have to be in existence for controlling the rural areas?—Oh yes, outside the Municipal areas. The question would arise—one gentleman mentioned it to me the other day that it has arisen in his mind but, I daresay, he would come here and give his views himself upon the subject—whether the time has not arrived that these areas should really be developed into Municipal areas. To a very large extent these farms that we have been talking about are really becoming villages, because of all the building lots and plots which are being sold.

12288. *Mr. Gurney.*] There is the recent case at Constantia, for instance, is there not?—Oh yes, all these places are cut up for building lots, and you cannot call that farming. Of course the rating of the Municipality is always higher than that of the Divisional Council, and, if these places are really cut up in that way, why should not those people be taxed? Why should we be making roads out of the funds of the city here, for places which cannot be set down as farms, although I believe that every consideration should be given to the farms? But these estates, which are cut up into building plots, certainly create a question that is worth considering in that connection. I say that at least for a few years we should contribute from the rates of Cape Town a stated sum in the hope that these outlying districts would so develop in the future as to be able to maintain these roads from their own income. I put it down for a period of ten years. I stated the other day that I thought the outside expenditure would amount to £16,000, and I considered that the various Municipalities should contribute at least £10,000 of that amount. The rest might be easily raised if a proper valuation were put on the outside properties, and even a small increase in the rate if necessary. There is no reason why these properties should not be taxed at the rate of one penny in the

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£, when all the Municipalities are paying 3d. and 4d. Of course they have not all the advantages, but at all events if they have a proper valuation I think that that amount would be met. The balance of £10,000 would immediately be met, and out of that I considered that Cape Town should contribute £5,000; and then, in ten years' time, I thought that they might be in a position to take the whole burden.

12289. *Chairman.*] At the present time, and for some time to come, you don't think that the area is, or would be sufficiently urbanised to come under Municipal Government?—I have simply given you my opinion.

12290. From that point of view, and from the point of view of the necessity of having some representative body, it would be necessary to considerably increase the powers of the Divisional Council supposing you were to continue it?—Well, would that really be necessary?

12291. You see there are various things that have to be done, and that the Divisional Council cannot at present do. It has not the power, for instance, over sanitation?—In that respect, of course, it might have such power.

12292. It has no power to exercise control over the erection of unsanitary buildings?—Yes.

12293. And there are many matters which could be entrusted to a body of that kind?—Oh yes, I think so.

12294. Following, in some respects, the model of the County Councils in England, where you have a representative Board dealing with a largs area, in a manner suited to its requirements?—Yes.

12295. And giving them the control over such matters as, more particularly, affect the population in that area—matters that always do concern a rural population?—Yes.

12296. For instance, diseases of stock, diseases of plants, conservancy of rivers, the maintenance of rights of way, and various things of that kind, might be relegated to a rural body, properly constituted?—Yes.

12297. Would you be in favour of some such board?—Oh, yes.

12298. To deal with all those matters outside the Municipalities?—Yes.

12299. Now, with reference to the constitution of the reformed Divisional Council itself, Mr. Ball, do you think that any change might be made in the election of members, to represent such an area, as an amalgamated Municipality for the Peninsula might constitute, because, at the present time, these Municipalities, practically, return 12 townsmen as members to the Divisional Council?—The towns do.

12300. Yes.—I think Cape Town returns two, does it not?

12301. But we had it the other day, in evidence, that, either owing to the method of registration or some other cause, the Municipalities returned 12 men out of a total of 14 members, these 12 being gentlemen resident either in Cape Town or in the suburbs?—Yes.

12302. Now, you suggested, the other day, that the Municipalities, by virtue of their solid contribution towards the maintenance of the Divisional Council roads, should elect a certain number of the Divisional Council members?—Yes.

12303. Supposing there were an amalgamation, such as you are desirous of seeing brought about, what proportion of representatives do you think that amalgamated body ought to have on the Divisional Council?—Of course, it would entirely depend upon the size of the amalgamation. According to my view, we are contributing very nearly two-thirds of the sum, and therefore we should be equally represented—at all events, according to the amount we contribute. That is to say, both Cape Town and the suburban Municipalities ought to be equally represented, according to the amounts they pay. But, in any case, I would not advise a very large body in a case of that sort.

12304. Don't you think that the claim to such a large share in the representation on the Divisional Council would destroy an interest in the minds of the rural people?—All we want is to see that, as long as we make a contribution, the money is properly expended. But you were speaking of the larger body, such as the County Council, dealing with matters of this sort, outside in these country areas, and that indicated to me that a large body, even in the centre of the Peninsula, might deal with these matters outside of the Municipality. The idea was conveyed to me in that form. It would be just as well that they should have the power to deal with these things because it is a question whether the rural people would take sufficient interest in these matters to care for them or to have them properly attended to. They are more likely to be attended to by men who are accustomed to deal with matters of a Municipal nature, and of a public character, than by the farmer, whose only interest is his farm.

12305. In this connection the Municipal body might agree to nominate or appoint a resident outside the Municipality?—Quite so. I should not confine them to their own Council if they felt disposed to nominate an outside gentleman.

12306. Do you think it is an advantage to the Divisional Council to have an official chairman, Mr. Ball, or would you be in favour of having an elective chairman?—I think it would be better that he should be an elective chairman. The Civil Commissioner has a great many duties to perform, and it seems like placing upon him a burden which is somewhat unjust. Mr. *Thomas Ball.* 13th June, 1902.

12307. Supposing it was considered necessary that some Government representative should continue on the Board, though not as official chairman but as a member, you would have no objection?—Not the least objection.

12308. From your experience as a Councillor you believe that the chairman has great influence?—Oh yes, he has great power.

12309. In the way of keeping up the interest in the other members?—Yes, decidedly. Generally speaking, he is a man chosen because of the interest which he takes in the special work, and because he is better able to give advice and to give a lead.

12310. And is it not a fact that men are often induced to become members of a body, because of the prospective chance of becoming chairman or leader?—Well, I cannot speak from personal experience in that respect. The honours never affected me in the least.

12311. I don't for a moment insinuate a personal motive, far from it. But take membership of a body, like the Divisional Council, which, in many ways, entails a great amount of work, is there not a desire in men to qualify for the position, more especially, of leader, and which induces them sometimes to take office?—Oh, yes, I have seen that in many instances.

12312. And therefore an inducement is created in that respect?—Oh, yes. Perhaps, it is not an inducement, in the first instance, but I have seen that it soon becomes an inducement. At all events, I do think that it would be better to have an elective chairman, who would infuse much greater interest in the work generally.

12313. Is there any other matter that you would like to bring before the Commission?—No.

12314. Allow me, Mr. Ball, to express to you the Commission's sense of the great obligations they are under to you for the valuable and exhaustive evidence you have been good enough to supply.—I am glad to have been of service to the Commission.

MONDAY, 16th JUNE, 1902.

Present:

Hon. Sir W. Bisset Berry (*Chairman*).

Dr. A. J. Gregory.	Mr. W. E. Gurney.
Dr. A. J. Anderson.	Mr. T. Stewart.

Mr. George Smart examined.

12315. *Chairman.*] You are resident in Cape Town; you have been Mayor of Cape Town, and for a long time you were a member of the Cape Town Council?—Yes. Mr. *George Smart.* 16th June, 1902.

12316. Apart from that, you have for many years taken a large interest in Municipal affairs in this city?—Yes, I have.

12317. You are not at present a member of the Town Council?—Not just now.

12318. I presume you know something of the objects and scope of this Commission?—Yes, I do.

12319. We have had very exhaustive evidence from Mr. Councillor Ball on a great many questions in connection with the Municipality, and in consequence of that I do not think it is necessary to take your evidence on all the subjects of an enquiry, but there are some points upon which we may be able to get additional and perhaps corroborative evidence from you?—Yes, I have drafted a few ideas on the matters before the Commission, which I will hand in to you.

[Memorandum read and put in by the witness.]

12320. Have you come to the conclusion that the present method of valuing for rating powers is not a satisfactory one?—In the memorandum which I have drawn up I divided the matter into two heads. I say that the formation of the Court is not a satisfactory one.

Mr. George Smart. 6th June, 1902.

12321. Are your objections limited to the matter of the formation of the Court? —Would you kindly divide your question into two parts: the one on the system of valuation and the other on the composition of the Court?

12322. What have you to say on the method adopted by the Council for valuing property for rating purposes?—As I have pointed out in my memorandum, the law requires that property shall be valued at what it would fetch in the open market if submitted to public auction. Now, Adderley Street properties and many of the other town properties are very seldom submitted to public auction, and therefore there is no real guide to the valuer. Unless a property in the immediate neighbourhood has recently changed hands, there is no guide; and if you had to adopt the rental basis, it would be necessary to go over the building and determine what would be a fair rental, the owner of the property being generally the occupier.

12323. That means that amendment is required in the law?—Yes; I think if you extended the power of the Court to adopt the rental system more generally, it would be the best.

12324. You mean that the valuer should adopt the rental system in fixing his valuation?—The Valuation Court goes upon the same basis as the valuer.

12325. Is not the system of valuing by rental the one which is usually adopted elsewhere?—Yes, I believe it is.

12326. Practically, for all purposes of assessment, rental is the guide to its valuation?—I am not sure. I do not quite know how they act in the case of a large residence where the possibility of letting it at a rental to bring in a fair interest on the cost of construction is remote. I think that some wider powers should be given to the Court. It is quite easy to get at the ordinary dwelling-house. We there take £1 per month rent as determining £100 value; but where you have to deal with houses which, valued on the same principle, would have to pay £50 per month, the case is difficult. It would be altogether unfair in many cases to use the same basis. If the proprietor was not living in the house, the possibilities of its being let at a rental to give a fair return would be very small. I do not know how that difficulty is overcome in England.

12327. Valuations there are generally made by the Board of Guardians, are they not, and the rates are levied on the rental value of lands and buildings?—I am not quite certain. Our basis is really a commercial one. We value at what the property would fetch in the open market. I cannot say that our system is altogether unfair, but it is at times a very difficult matter to get at the real value of the property. For instance, in the case of a property which the owner has no intention of selling: a man comes along and offers the owner a certain sum, and if that is known it is generally accepted that that is the value of the property, but it may be that the owner has no desire to leave; in fact, his business may be there, and leaving the property might mean the ruining of the business. It would not be fair to take that value for rating purposes under those circumstances.

12328. Have you any suggestions to offer as to the constitution of the Valuation Court?—I do not think that any one elected by popular suffrage to the Town Council ought to be compelled to act on the Valuation Court. The Town Council have always elected their Court from amongst themselves, and until the Government Rating Bill empowered the Government to appoint two assessors to act in conjunction with the Court, no one but Councillors sat upon it. So far as I know, the Council have no power to appoint anyone but Councillors to act on the Valuation Court.

12329. *Dr. Gregory.*] These two Government nominees are really put upon the Board to protect Government interests, are they not?—There is really no such instruction given to them.

12330. But is not that the idea in the Act?—It may be, but their powers are just the same as the powers of the ordinary Councillor. They are not restricted in any way. Government lays down no rules for their guidance but simply asks them to act in conjunction with the other assessors.

12331. *Chairman.*] Would you be in favour of a permanent valuing officer appointed by the Town Council?—I do not think so.

12332. What is your objection?—I think it would be far better to take men at different times who may shew special aptitude for that work rather than to stick to one person continually. There is the danger possible too of a man making friends.

12333. An objection raised to a man being appointed *ad hoc*, simply for the purpose of valuing at a particular time, is that there is enough work to engage a man's time from one year's end to another, whereas if the Town Council call for tenders for the valuation of property, it must mean that some appraiser goes in for a time, makes a rush at the business and does it perhaps in a perfunctory way. Therefore it is suggested that there should be a permanent officer whose whole time should be given

to valuing property in the Municipal area and to seeing that the proper roll is prepared and kept constantly up to date; you do not agree with that?—No, I like the open market for this sort of thing.

12334. Then you do not see much in the objection that by going to the open market you only get a man for the time being with the possibility of his doing the business rather superficially?—You always have the Valuation Court behind to protect all parties. It has power to raise or reduce the valuations. It is quite a sufficient safeguard.

12335. Whose business is it to see that all properties are placed on the roll?—That is the Municipal business.

12336. Whose particular business is it at the present time?—It used to be entirely the valuator's, but the system has improved. The Engineer's Department does a great deal in that direction now. A record is kept of every property that is erected or improved, or of any change that takes place, and that is supplied to the valuer.

12337. Does the valuer tender to do the work for a certain sum?—Yes, per property.

12338. So that he has an interest in looking after every property and seeing that it is put on to the roll?—It is to his interest to see that none escapes.

12339. Do you remember the cost of the valuer's services?—Roughly speaking, at the last general valuation it was £1,000.

12340. *Dr. Gregory.*] And what is the cost of an interim valuation?—Very much less, perhaps £200 or £300. It has been rather higher than usual lately, because there have been so many buildings put up. When, however, the building is not so brisk the cost is very much smaller.

12341. *Chairman.*] Has there not been a tendency to employ the same valuer?—It has been the same during the last four or five years, although I do not know that there is any tendency in that direction.

12342. Then this cost of valuer's services is rather a heavy one?—The general valuation takes place once in three years.

12343. May the Council not order it to be taken oftener?—Not more often than once in three years.

12344. But the interim valuation is made every year?—On new properties only, or on properties that have been altered.

12345. That will cost, how much?—From £200 to £300, I think.

12346. So that taking an average of three years the cost to the Council is about £600 per year for valuer's services?—You must bear in mind that there are two valuers engaged on the work.

12347. Is that always the case?—No, that is not always the case, but when two are engaged the work is done much quicker.

12348. The real reason that there are two engaged is because a firm were the successful tenderers?—That is so.

12349. But it might be that only one man would do the valuing?—Certainly, if his tender was accepted.

12350. And the valuer must attend the Valuation Court and defend his valuations?—Yes.

12351. *Mr. Gurney.*] Can you explain to us why it was that the Cape Town Council expenditure on valuations for 1901 was £921, and that the estimated expenditure for 1902 is £1,250 under the same head?—I cannot say how that is. I am not a member of the Town Council, and I do not know why they placed the estimate so high.

12352. It seems that last year they spent £921, although there was no general valuation?—The interim valuation was a very heavy one.

12353. *Chairman.*] Do you know if the Town Council are contemplating an amendment of their Act giving them power to value the properties every year?—I do not think so.

12354. *Dr. Gregory.*] The main object of the Valuation Court is to get a guide as to the value of the property at the actual time of their sitting?—That is so.

12355. So that if you had a man pottering about at the work day by day, year after year, some properties would be valued as at the time of the sitting of the Court, whilst others would be valued as at a year or two back?—That is a danger, for properties sometimes rise very sharply in value.

12356. You propose that there should be a reconstitution of the Valuation Court, but how would you constitute it?—I would empower the Council to appoint, as members of the Court, outsiders—men not on the Council, but men who have a large knowledge of property.

12357. You would not suggest that the Government should appoint independent members, and that the Council have only a certain representation on the Court?—No,

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I do not think so. I think this is a matter which the people should hold themselves entirely responsible for. It should be left entirely in their own hands, or at any rate I do not think that the Government should appoint more members of the Court than they do at present. I think that the Valuation Court has acted fairly well in the past.

12358. The last Valuation Court of Cape Town left a certain amount of dissatisfaction, did it not?—I do not think so to any extent. Naturally there is always dissatisfaction as to valuations.

12359. Are you of opinion that the work of valuation would be done better if the Court was appointed for the whole Peninsula?—I do not think so. I think that the residents in the neighbourhood engaged in property business are better than residents at a distance. I should say that the people of Cape Town dealing in properties are better judges of the value of Cape Town property than similar men from Wynberg and *vice versa*.

12360. What would you consider as the most suitable class of man to sit on a Valuation Court?—Well-known auctioneers answer very well. They have a good deal to do with property, and are generally very reliable. Property agents are also useful in any properties in which they are not interested.

12361. Would not the managers of banks and trust companies be useful?—The managers of trust companies would be very useful, but I do not think that bank managers to any extent would help us much.

12362. And they would have a knowledge of property right through the Peninsula?—Yes, they might; but the members of the various Town Councils would not.

12363. But the members of the various Councils would be useful as a guide to the values of properties in their own areas?—Yes, but they might be outvoted. I do not think that your scheme would work.

12364. But the Valuation Court is really a judicial body, is it not?—Yes.

12365. And therefore so long as the component members of the Court have a reasonable knowledge of the work which they are doing they do not require to have a personal knowledge of the value of individual properties?—They could only go upon the evidence given by the opposition to the valuation. That is all the information that they would have. Some people have always made it a rule to object, no matter whatever the valuation. I do not blame them for that, but it is the Court's duty to get at the fair value of each property.

12366. But at present the Court can only raise the valuation of a property after it has been objected to?—That is so, but anyone can object to it. Any member of the Court could object to it, as well as anyone outside.

12367. But has not that objection to be lodged for some time before the Court sits?—I do not think so, I believe that objections may be lodged during the time of the sitting of the Court.

12368. *Mr. Gurney.*] You are speaking now of Cape Town only, are you not?—Yes, I have no knowledge of the method of procedure in the suburbs.

12369. *Dr. Gregory.*] But is this not a roundabout way of bringing under review a valuation?—But the Court would have no knowledge of any valuation unless it was specially brought before it. The members of the Court could not be expected to go through the long list of valuations and specially note them. The valuation roll is open for inspection for some considerable time before the Court sits, and any person having any interest in the matter can go and examine it for either his own or his neighbour's valuation.

12370. Should there not be some other system of reviewing the whole of the valuations, either by the Court or by some other responsible body?—In what direction?

12371. Would it not be advantageous if an independent Court were to review the roll and bring up its objections before the Valuation Court?—I do not think so. I think you are giving everybody a fair opportunity when you publicly advertise that the list can be inspected by anyone desirous of coming to see it. I think that meets all the requirements of the case.

12372. That is all very well for over-valuations, but what about under-valuations?—We have frequently had brought to our notice under-valuations: generally some owner will have noticed that his neighbour's property is valued much lower than his own, and will state to the Court that the property in question is as good as his own, and consequently should be valued as highly.

12373. But still again, these are only casual cases, and if you have these casual cases is it not probable that there are a number of other cases which would come to light if you went to work to make a systematic inspection of the roll?—The valuer is supposed to do that. I do not think you could improve things in that direction.

12374. The Council should be empowered to lodge an objection to any under-valuation, do you not think?—No, the Court can take note of any under-valuation now.

12375. A member of the Court can only do it in his capacity as ratepayer?—Yes, he can do it in his capacity as a member of the Court. He can object in that capacity

12376. But he must give notice to the Court of his objection?—Certainly; some notice must be given to enable the owner of the property affected to appear so that the Court can get at both sides of the case.

12377. So that it is not the Court that objects?—No, members of the Court; but that comes to the same thing.

12378. *Mr. Gurney.*] You said just now that you thought that the Cape Town valuer or member of the Court of Valuation was not a fit person to assess the values of properties in Wynberg and *vice versa*, but are we not all of us mixed up in more than one particular place? For instance, a man lives in Wynberg and works in Cape Town?—I still think that for the formation of the Court you should have Cape Town men to judge of Cape Town properties and Wynberg men to judge of Wynberg properties.

12379. You are no doubt aware that one of the present Cape Town valuers lives at Wynberg and the other at Mowbray?—That is so. I see no objection to those valuers.

12380. Going outside Cape Town, how would you suggest that farm properties should be valued?—Upon their returns.

12381. Do you mean returns of produce?—Yes; it is not fair to tax agricultural land on a building valuation, but the moment that agricultural land is cut up into building lots I see no objection whatever to its paying Municipal rates. It is too easy to buy land and let it lie there unused without paying its fair share of rates.

12382. Can you give us an idea as to how you would set to work at arriving at the value of the production of a farm?—Is it not a rule that an acre of vineyard should yield a certain return; that an acre of fruit trees should yield a certain return, and that an acre of vegetable garden should yield a certain return? I have it running in my mind that such is the case, and that is how I would set to work at my valuation.

12383. Is there not an analogous system in England of what they call "grass rent"?—It may be so, but manifestly it is unfair to go on as we are doing.

12384. *Chairman.*] On the question of rating, have you thought anything as to the necessity of having a system of differential rating in Cape Town and suburbs?—I only differentiate between agricultural lands and building lands.

12385. But would you not be inclined to say that it is desirable to give power to differentiate even between locality and locality, streets and streets, and areas and areas. I am referring to a system of special rating for betterment in localities: suppose that property owners in a certain locality were willing to pay a higher rate on condition that they were given better pavements or streets or drainage, or some such necessary improvement as that?—That is rather a big question. I have never heard it suggested before, but it strikes me rather forcibly. Of course the Municipality would have to make a return for this outlay by work done purely in that locality. I can see no reason why the Council should not possess such powers. Of course it must be distinctly understood that the Council would not spend more upon improving the locality than the return they receive through the higher rate.

12386. Are you not aware that this system is coming very largely into vogue in the cities of Europe and the United States and some of the Colonies?—I did not know it, but I can quite see that it might work very well. I think it a very good thing that the Council should be given such powers. But what majority of the residents would you require, because it is a very difficult thing to secure a majority of the residents in any neighbourhood to consent to being specially taxed? What proportion would you require in favour of the taxing?

12387. There are different arrangements in different towns, but the point is that the governing body gets the power specially to rate for certain better work in accordance with the expressed wishes of the neighbourhood, or as it happens, in respect of ground which is being newly laid out, and the owners of the property agree to allow themselves to be specially rated to secure these advantages in anticipation of the time when they ordinarily would be given?—We have something analogous to that now. In outlying districts of the Municipality the residents along a street which has not been adopted as a Municipal street may, by a majority of their number, call upon the Council to make up that road on their paying £1 for every £1 spent by the Municipality. The first thing to be done, however, is to get a majority of the ratepayers, and I believe that it is necessary that the majority must be one of two-thirds of the ratepayers affected. These two-thirds have to coerce the other third. As soon as the two-thirds have agreed that the work shall be done, and have handed over the money to the Council, the Council undertake the making up of the road. It has been found, however, an extremely difficult matter to get this necessary majority. The thing does not work very well.

12388. It would appear that the Council have not the powers to do these things in the same manner as they have in many parts of Europe and of the United States. I believe it is a fact that in the United States something like one-fifth of the combined

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incomes of some of all the cities is derived by this method of special assessment for the betterment of localities?—The principle seems to be a very good one, but the initial difficulty would be the getting of a majority to agree that their locality should be specialised for any particular rate. Everything hangs upon that first difficulty. We have often found here that good works have been blocked by men holding ground for future sale and refusing to consent to improvements which people, who are living in the neighbourhood of these vacant plots of ground, desire to see carried out. I have in my mind this moment a piece of ground which the owner will not build upon, and at the same time he objects to contribute to any special rate to improve the locality. The locality is growing, the man does not want his money and he holds on to his piece of ground knowing that it will become more valuable every day.

12389. How is it valued for rating purposes?—It is valued at what it would fetch in the open market. The owner does not get off clear altogether. The Valuation Court do not show much sympathy in such cases.

12390. You say in the memorandum which you have put in that the outside Municipalities are not likely to join with Cape Town because their debt per capita is so much smaller than Cape Town's. Can you tell us what is the Cape Town debt per capita?—I am afraid I cannot tell.

12391. How do you reckon it?—I take the estimated population of Cape Town and divide it into the Municipal debt. I remember some time ago when we were going in for our Reservoir Loan, we estimated the population as between 60,000 and 65,000.

12392. The total debt of Cape Town is over £1,000,000, is it not?—Yes; and I believe that the Municipality have the power to raise it to over £2,000,000.

12393. But taking the present debt per capita?—It is a difficult matter to calculate, because they are just now negotiating for further loans.

12394. On what do you base your opinion that the indebtedness per capita in the suburbs is so very different from the indebtedness in Cape Town?—I know that we have raised loans in the city which they have not raised in the country.

12395. That means that you have services done for you in Cape Town which you have not had done for you in the suburbs, but may it not be necessary that these services shall be rendered in the suburbs?—When that is done you may get them to combine.

12396. Is there any sound objection to amalgamating two Municipalities whose rates happen to be different, when the method of differential rating can be brought into use?—There would be no practical objection on that head but there remains this further difficulty: I, myself, am not in favour of large Municipalities except for the carrying out of large works such as drainage, water and lighting. I think the ordinary work of the town is far better done by small Municipalities than by fusing them into one large Municipality. If we take the work done by the suburban Municipalities during the short time that they have been in existence, and considering the small means which they have had at their disposal, I think they have done very well indeed. That is my candid opinion.

12397. But continuing on the point of indebtedness, where does the objection come in?—The indebtedness being equal, the objection would be removed, but still there would be the matter of the construction and maintenance of roads. It is much less costly to keep up the roads in the suburbs than to maintain the streets of the city.

12398. Would not that be an argument for amalgamation so that the greater should help the lesser? It would be an argument for Cape Town, but against it from the other side of the case.

12399. Do you say that the streets and roads in the suburbs need not be so good as in Cape Town?—They are not so costly to maintain.

12400. But need they be more costly in the future supposing you had amalgamation?—The more the suburbs grow the more the traffic on the roads, and the more the roads will cost to maintain.

12401. Is not that a reason for distributing the cost?—The people in the country would say that their roads did not cost as much as the roads in the town and would not be in favour of paying for the cost of maintaining the town's roads. They would object to their money being used for the upkeep of streets in Cape Town.

12402. But what is to hinder the rates levied in the suburbs being spent in the suburbs?—That is quite another question. It would mean the keeping of separate accounts, and the rates would not have to form one whole.

12403. Even now, under the Divisional Council Act and Public Health Act, provision is made, to some extent, for spending within a certain area the rates levied in that area?—I do not know how this would work in Municipal matters.

12404. Why not?—The spending of the money varies so much in different localities. For instance, in some parts of a road there may be ten wagons running over

it compared to one in some other parts of it, and yet you would have to pay the same rates all along it.

12405. We will suppose that these ten wagons are going through Mowbray, where do they come from?—Say they come from Wynberg into Cape Town.

12406. Then why should the cost of maintaining the roads for these ten wagons fall upon Mowbray alone?—They have identical roads in the suburbs to keep up, whereas we in Cape Town have about 90 miles of road to maintain, and the Cape Town roads must be of a better quality, or rather of a more costly character, because they are more subject to high winds and much more wear and tear, and I think that the country taxpayer would say that it was unfair that he should pay to keep up these roads.

12407. But at present Cape Town has to pay about £22,000 per year towards maintaining these outside roads?—I object to that. I do not see that it is fair. I do not see why we should.

12408. Do you believe that you should pay nothing?—I do not see why we should. Let each Municipality pay for its own.

12409. But it is to a very large extent Cape Town traffic, is it not?—I do not think it is Cape Town traffic, only to a slight extent. And in Cape Town the traffic on the roads is very severe, wagons going from store to store continually. There is ten times more traffic on the roads in Cape Town than on the roads in the country.

12410. Then comes the question of rates, is there such a great difference between the rates of Cape Town and those of the suburbs?—Oh, yes.

12411. Take the rates of Mowbray?—The Mowbray rates just now are exceptionally high. They have made them higher to clear off an old standing debt, but the understanding is that they shall be reduced again after this one year. If you take Claremont or Wynberg, you will find that the rates are at least 1d. in the £ lower than Cape Town rates.

12412. This year in Cape Town you only pay 2¾d. in the £, and is it not the case that the rates of Cape Town are going to come down rather than go up?—I hope so, but I do not see how it is going to come to pass.

12413. An experienced Town Councillor told us that in his opinion Cape Town rates have passed their maximum?—I hope that is correct, but when I look at the condition of our streets I do not think so.

12414. If you take most of the suburbs you will find that they are rated at 2d. in the £ with a tenant's rate in addition, and do you not think that that will bring up their rate equal to Cape Town's?—I daresay it might, but this year we are exceptionally low in our rates.

12415. But when they have completed their drainage system and got a good water supply in the suburbs, together with other things which you have not got here, are not their rates likely to be increased?—There would then be no financial reasons for objecting to amalgamation. But I do think that the ordinary work of the towns is better done by smaller bodies, such as are now in existence.

12416. But is it not a fact that the most successfully managed Municipalities in the world are the largest Municipalities?—I did not know that that was the case.

12417. Is it not the case that the City of Glasgow in Scotland is pointed at universally as the best managed city in the world, and it has a population of about 800,000 people?—I remember seeing something recently against large Municipalities, that they were inclined to megalomania.

12418. Experience has gone to shew that by the enlargement of the Municipality of Glasgow the rates have gone down although the services rendered have been greater?—I did not know that, but here, in a new place like this, where practically everything has to be made and we have had nothing handed down to us, the circumstances are different. Probably in Glasgow they had old works, such as sewers and bridges which had been built long ago.

12419. No, it is since the town became a large city that they have gone in for most of their works. For instance, they have taken water from Loch Katrine and that could not have been done if they had not been a large body?—I quite agree with you that for large works such as drainage, lighting and water a large body is the best. But for such small matters as one comes across every day in Municipalities small Municipalities are best.

12420. If you had a large Board to look after those matters of which you speak, by and from whom would you have it chosen?—I think it should be chosen from amongst the representatives of the different Municipalities; by the Municipalities from amongst their Councillors.

12421. If you did that would you not have the same men you have now?—You will always find that when you get large works to do you get more men of business capacity and you get more enthusiasm amongst your members than when only small works remain to be done in the town. I remember when Cape Town began its new

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programme of improvements in 1892, that we had on our Council a number of really good men. You will find that they were practically all sound business men, and that was because there was something to be done—some big thing to be undertaken upon which care and business capacity could be brought to bear. But when you have only the hum-drum work of a Town Councillor the interest lags.

12422. Does not that argument cut away the very foundation from what you said before?—No, I want you to discriminate distinctly between the two points,—the large work and the small works—and my contention is that the small works are better looked after by smaller men. They will do more good for you than the larger men. For instance, they will, themselves, go and see that stables are kept in order, that refuse is cleaned away, and other things that bigger men will not do.

12423. Is it the duty of a Town Councillor to go pottering about stables?—Whether it is a Town Councillor's duty or not it is done by some of them, and very much to the town's advantage.

12424. Is it not rather through this tendency of Councillors that we find stories bruited abroad much to their discredit?—I have seen nothing of that sort.

12425. I do not say that it exists, but do not ideas get abroad when men get out of their proper sphere, and do not the Councils themselves suffer? The Councillor's sphere should be that of debate and discussion, but when they step out of that sphere and buy and sell for the Council, they lay themselves open to sinister remarks, do they not?—There is no buying and selling in connection with Councillors that I am aware of.

12426. These things are done, are they not?—It has never come to my experience. I do know that we have had some men on the Council who are extremely useful. I have known them get upon their horses early in the morning and ride about the town to see that certain things are done, which is a very useful thing for the Town Councillor to do, though very few of them will do it. And the difficulty of doing it when the Council is made a very large one becomes increased.

12427. But supposing the areas of the smaller existing Councils were kept as Wards of the larger Municipality?—So long as that was done and representatives were elected from those Wards the purpose would be served.

12428. The system would then assume that of the Ward constitution?—Yes, with representatives from the various Wards working within their own areas.

12429. And at the same time sitting on the larger Board?—Yes, if that were done it would come to the same thing.

12430. The difference would be, in an amalgamation scheme, that the larger Council would have a say in the work of the smaller areas?—If you elected the Board from the various Municipalities it would come to the same thing.

12431. It would not come to the same thing, because, as I understand it, the Corporation of Cape Town would have a Board put over it to look after the items you have referred to?—I was speaking of the suburbs purely.

12432. But are there not matters which should be dealt with by a combined Board for the whole Peninsula, such as a large water scheme?—Undoubtedly.

12433. But Cape Town would be shut out from all real control of such a scheme if you had a separate Board for the suburbs only?—I do not think that Cape Town would care to be part of a large authority to deal with drainage, lighting and sewerage right through the Peninsula, because they have these things, and the only matter in which Cape Town would be affected would be water.

12434. But is not that very important?—Yes, it is very important; but this Board could supply Cape Town with what it wanted in the way of additional water.

12435. We have had witnesses representing Cape Town Council, who have said that the Council will emphatically protest against any Board for the supply of any Municipal service whatever?—Within the limits of the city; but they would not object to taking water from another Board at the boundary of the city.

12436. But according to your plan the Cape Town voice would not be heard in the choice of the members of this large Board?—The only thing that Cape Town requires, which could be supplied by this Board, is water.

12437. You say that you would require this Board for the supply to you of water in bulk, but you would have no voice in the selection of any water scheme or the cost of it?—The cost of it would be everything. The water would have to be supplied at a reasonable cost.

12438. The Cape Town people would naturally like to have a say in the original cost of the scheme because the cost to the city would depend upon the cost of the scheme?—Yes. In speaking of this Board I am treating it more as a governing body and considering it in regard to the powers that any authority should have over Cape Town or that Cape Town should have over any other Municipality.

12439. One should not have power over the other?—But if Cape Town had to join any such Board it would have to be ruled by the majority.

12440. But that is simply the ordinary principle of representative government?—Yes, but Cape Town might be swamped on such a Board. It is rather a delicate matter, and I am sure that Cape Town would object to any other than the ordinary elected members of the Council having anything to do with the affairs of the city.

12441. But the Board would be elective?—It would not be elected from Cape Town only. You must not forget that they would be in a minority.

12442. But Cape Town's interests would not be likely to suffer even at the hands of the members of the Board elected partly from the suburbs, because, as you are aware, a large number of the residents in the suburbs have their places of business in Cape Town, and they would not be likely to vote in a manner which would inflict injury upon their interests in Cape Town?—But the great bulk of the voters of Cape Town are townspeople who live in the town.

12443. But there are a large number of town voters who live in the country?—That is so.

12444. Then it would not be to their interest to mismanage the affairs of Cape Town, any more than it would be to mismanage the affairs of the suburb in which they live?—I had no such idea as mismanagement, but the great bulk of the ratepayers being residents of Cape Town would certainly protest against their affairs being managed by any person elected outside their own Council.

12445. But that would simply resolve itself into the matter of the constitution of the governing authority, would it not?—If you can see the way to getting over this, all right; but I, myself, do not.

12446. You think that it would be impossible to amalgamate these suburban Municipalities with Cape Town?—Except by a Board elected from those Municipalities to carry out the more important works described, it would be inadvisable to go in for any amalgamation. I, myself, would prefer to leave the other matters to the control of the bodies now in existence.

12447. You would give that Board the power to rate?—Yes, undoubtedly; and to construct all these works. Should it prove, hereafter, that such an amalgamation had been beneficial it would than be found that it was but the commencement of a more thorough system of amalgamation.

12448. Then you think that by having a Board of this kind it would pave the way to a general amalgamation?—Yes, if it was a success, but I think that, at present, that is all that is really wanted.

12449. Reverting to the case of Glasgow, do you know that within the last ten years some six or seven Municipalities, with a population of about 120,000, have been amalgamated with Glasgow with benefit to all, although the smaller Municipalities objected very much at first?—I have not been in Glasgow for about 15 years. I am quite inclined to the opinion that we are likely to grow more in favour of amalgamation, but I think it would be a good commencement if we had a Board of the kind I have suggested to begin with. The scope of any Bill which might be brought in might embrace future extension of such an amalgamation.

12450. In your memorandum you say that you would exclude Cape Town and Sea Point from the operations of such a Board?—Yes, I would, because I cannot see of what advantage it could be to them except in the matter of water supply.

12451. What would you do with a district like Camps Bay?—I think it ought to go to Sea Point. That seems the natural place for it.

12452. Would you keep Sea Point distinct from Cape Town as well?—Yes, they would not like to join Cape Town. There would be tremendous opposition to it.

12453. Would there be opposition from Camps Bay to joining Sea Point?—I do not know, but it seems to me that things are more equal there. Camps Bay must come under some Municipality, and you cannot have a fresh one started there.

12454. There is a strip of land belonging to Cape Town between Camps Bay and Sea Point, what would you do with that?—The Town Council would sell it.

12455. To whom?—To anyone. You could re-form those boundaries. In fact the boundaries of Cape Town should be thoroughly re-formed. For instance on the Woodstock border the boundary is a very zig-zag one, running I believe through the middles of houses in some cases.

12456. Would not the best way of settling that be to join Woodstock and Cape Town?—There would be ructions if you suggested any such thing. Woodstock would not have it.

12457. If Woodstock would not agree to amalgamation on one side, nor Sea Point on the other, would you be in favour of Parliament stepping in to deal with the case?—I think the other course would be the better; to have one Central Board to look

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after the big works of all the suburbs, and then if that was a success the suburban people might ultimately agree to go in for a more complete amalgamation.

12458. *Mr. Stewart.*] Did not Sea Point belong to Cape Town at one time?—Never within my recollection.

12459. Did it not about the years 1835 to 1840 belong to Cape Town?—That was before my time.

12460. *Chairman.*] Cape Town supplies Sea Point with water at the present time, does it not?—Yes, it is bound to do so.

12461. Suppose a big fire were to occur at Sea Point, what would the Sea Point people do?—They ought to make provision for fires. There is the same want in the Southern suburbs, but they will not spend the money.

12462. Owing to the absence of union between Cape Town and Sea Point, what has been the effect so far as sewage outfall is concerned?—I do not think that that has affected it much. When Mr. Dunscombe came out to give us an idea of what should be done at that time when there was no suggestion of anything other than one drainage between Cape Town, Woodstock, and Sea Point, he suggested an outfall there. We tried at that time to get Woodstock to join us. That was when there was to be an outfall near the Salt River mouth. We ultimately came round to the Sea Point side instead of the Woodstock side when it was found that the currents of the Bay were distinctly against putting sewage into it. Mr. Good's report showed us that we could not put an outfall sewer near the Salt River mouth without great damage to the Bay, so we had to find another outfall. Mr. Olive then came here and he suggested going in the direction of Green Point, and that left Woodstock out of it, although, if Woodstock had been careful, they could have been in it. But they were too grasping, that is all.

12463. Would you have this Board appointed by Act of Parliament?—I think so. I think it would have to be. You must have it constituted properly by Act of Parliament.

12464. Would you give them powers to do certain things whether the Municipalities were in favour of them or not?—Yes. I would give them the fullest powers to do the works of which I have spoken.

12465. Would you put the obligation upon the Board to construct a system of drainage and bring a large supply of water to the Peninsula quite regardless of whether the people of the suburban Municipalities wished it or not?—Undoubtedly.

12466. But still you would give the people power to elect this Board?—Certainly, why not?

12467. How are you going to make the powers of the Board obligatory?—Surely everyone must know that water and drainage must be undertaken, and the members of the Board would go there for the purpose of doing it.

12468. Why has the work not been done before?—Because there has been no combined action.

12469. How will you make them combine to elect this Board?—It does not strike me that there will be any difficulty or any idea of refusing to elect members to this Board. If the Board were properly constituted under Act of Parliament, I cannot conceive why the people should refuse to elect members to serve upon it.

12470. We have had evidence before us that when the old Liesbeek Municipality was started, to embrace Wynberg, Claremont, Rondebosch and Mowbray, members were elected to it for the express purpose of breaking up the united Municipality. It was the election cry to send men to break up this Municipality, and they did it?—They would not be able to break up this combined Board of which we are speaking if it was properly constituted by Act of Parliament.

12471. But the other Board was established under terms of an Act of Parliament. You could not compel the people to elect members of the Board?—I cannot conceive people refusing to elect members to the Board.

12472. But suppose they did refuse to elect and to carry out these works, what would happen?—The central Government would have to step in.

12473. You think that they would nominate a body to carry out these works?—Yes, if necessary; but I go on the principle of trusting the people. I would give as much power into the hands of the people as possible. In fact all power to deal with all matters connected with their benefit. If they distinctly refused to accept their responsibility it would then be quite time enough to talk about drastic measures.

12474. But they have been for the last ten years talking about this drainage system?—That may be, but if you give them the power of constituting a Board for that especial purpose it will get over the difficulty.

12475. But they could do the work without this new power being created for them?—I do not think that they could do it very well. The power they have now is not of the same effect as if they had an Act of Parliament specially for the purpose.

12476. Each Municipality has power to do its own drainage?—Yes, within its own area.

12477. But they could have combined to have had one large system. They have been ten years talking about it and have done nothing?—But if you give them an Act of Parliament increasing their powers and making it more easily possible to go in for a joint scheme, I think you will have done all that they want.

12478. Probably all that they want?—You will have done all that is required in the matter of bringing about a drainage scheme. There is always a difficulty in carrying out a large drainage scheme. For instance, we discussed it for many years in Cape Town before it was undertaken, and I do not consider that the time was wasted. We first of all had the broad irrigation idea, and that was in favour for a long time. But, I think, looking back now upon that time, that we should be very thankful that it was not undertaken, for the reason that the land was not suitable, there not being sufficient depth of soil suitable for cleansing the sewage. I believe that if you settle the disposal of the sewage from the suburbs and how it is to be dealt with, everyone will be glad to join. It is a problem upon which very few are agreed at the present time. Wynberg is going on with its own system, but the others do not approve of it, and do not care to undertake a big scheme separately.

12479. Is that not a reason why they should be brought together?—They want to know the way out of their difficulties, and would be very glad to find one, I believe.

12480. We hope to be able to tell them when we have done our work.—Well, if you can tell them, they would be very thankful, whether the system suggested be the bacteriological system, or the filtration system, or whatever system you decide upon. If you definitely tell them that is the best system for their requirements, in my opinion the thing will go through, but the difficulty is as to the disposal of the sewage.

12481. Keeping to our point with regard to a Board, is it not a fact that the Cape Town Municipal Council have carried out large works of various kinds with a very considerable amount of success?—I think that may be said.

12482. Does not that seem a reason why no departure should be made from that method of carrying on public works in the Peninsula. What proof have we of the incompetence of a Municipality to deal with these questions?—None whatever.

12483. Then why should we call into existence a new Board to supersede the machinery now in existence?—But I do not intend you to touch Cape Town.

12484. But you would touch the Municipalities in the suburbs?—I want to take from these Municipalities a Board which will control the larger affairs dealing with all the Municipalities. I do not want to construct a new Board entirely, but I want the existing Municipalities to combine to send from amongst their number such of their members as they may elect for such a purpose.

12485. You want for the purposes of drainage some such general Committee as now exists for the management of the water supply of the suburbs?—No, the Water Board does not seem to have very much power. It seems to be always having to run back to each of the Municipalities to get power. The work can never go on like that. You must give your Board power to deal with all matters which have been referred to it, without constant consideration of the constituent Municipalities.

12486. Then you would have your Board given full powers and made independent of each Municipality?—Yes, it must have full powers. It will not be a bit of good unless that is given to it.

12487. *Dr. Gregory.*] What is your opinion of Municipal government in Cape Town? How does it work? Have you noticed any defects in it?—I believe I pointed out one in the matter of the Valuation Court.

12488. Is that all that has struck you?—Nothing else strikes me very forcibly for the moment. I think the affairs of the town have been fairly well managed of recent years. The Corporation have larger powers than they used to have, which powers have enabled them to keep wider streets and deal generally in a firmer manner with building lines than they used to. That seems to me to be a great advantage.

12489. In other words, the work of the Municipality is, in your opinion, better done than it used to be in years gone by?—Certainly.

12490. To what do you attribute that?—In the first place, to the larger revenue derived by the Council. That is the most important thing of all. The revenue of the town about ten years ago used to be only between £50,000 and £60,000 per year. You can get better work done now, because you can afford to pay better for it.

12491. And I suppose you are working on a larger scale?—Not on a much larger scale.

12492. The town is not surely using three times the revenue on doing the same work?—Certainly not. They are working over a larger area. The area was very much smaller than it is now.

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12493. You mean of course over a larger area of operations; the size of the town is the same?—Yes.

12494. This increased revenue has enabled you to get a better class of officer and to create more efficient departments?—A very much more costly class of officer.

12495. Do I understand that the departments are not more efficient?—There are more of them, I know, and the work is more specialised.

12496. Do they work better?—Naturally they must, the work being specialised.

12497. On that principle, the larger the revenue and the larger the work to be done the better the authority can do it?—Quite within reason. You must not stretch that principle too far.

12498. Therefore, if there were one large powerful authority for the urban areas of the Peninsula, it is reasonable to believe that the work could be done better and cheaper as a whole than at present?—I think you will find that the total income from the whole area outside Cape Town would not reach as much as the income of Cape Town itself—I mean from the rates. You would not have as much money to spend over the whole of the Peninsula outside Cape Town as you now have to spend in Cape Town alone.

12499. But presuming that you had the same amount?—Well, you would have an enormous area within which to spend it.

12500. But surely one body, working as a whole, would be better than a number of units?—I do not know that, in regard to the making of streets and keeping up of roads, or looking after the lines of buildings. With regard to the large matters of which we have been speaking, I certainly agree.

12501. I understand that you are not in sympathy with the desire of Cape Town for passing a new Act of Parliament creating Aldermen and bringing the Ward system into force?—The Ward system may be all right, although it has been tried before without success, but the other is a very small matter and, as far as I am concerned, I do not care two straws whether it comes into force or whether it does not. I have no particular feelings one way or the other. The Ward system is a well recognised system. Parliament, after all, is only an extended Ward system, and I would not object to its being tried again. I know that I was elected a member of the Town Council in 1881, when the Ward system was in force, and very little interest indeed was taken in the election. You find under the Ward system that the members are always demanding that more money should be spent in their own particular ward.

12502. But at the present time there is no one to demand better treatment for some of the wards?—No, no; that is not correct. You always find District No. 6 well to the fore.

12503. What is your opinion of the Council's manner of maintaining the streets and roads?—Unfortunately the material which lies within reach of the Council is of a very poor quality, and there is no doubt that the Council must look forward to using wood or stone, at any rate in all its principal streets, where there is heavy traffic. I think they are shaping their course in that direction. Years ago we could not think of it. The first cost was too heavy and our revenue was too small. Secondly, we knew that all the town's roads were about to be cut up for the purpose of laying down drainage for sewage and storm water. We were, however, of the opinion that so soon as those things were got out of the way the bettering of the streets was the next matter for consideration. Now, the drainage scheme is nearly completed, and the next thing the Council must turn their attention to is the work of improving the streets.

12504. You do not consider the streets are all that is to be desired at present?—No, certainly not.

12505. You think that you are now in a better condition to attend to your streets in view of your larger revenue, and of the fact that you can get special advice?—Yes; and authority to borrow money for the purpose has been given, so that there should not be very much longer delay. At least, I hope there will not be, for we want the work done very badly.

12506. Can you see any reason why this question of streets should not be dealt with by one Board throughout the Peninsula? Would not such a Board have larger powers, a better opportunity of getting superior material, and better means of getting expert advice, with a better department for carrying it out?—I do not think so. Take Cape Town alone; you have stabling accommodation for Cape Town near the Toll, and look what a distance the horses have to go to attend to work at the other end of the town. If you had one body looking after all the roads, depots would have to be started at quite a number of places within its area. It would, therefore, only really come to the same thing as having the present Municipalities to do the work, and I doubt if the streets and roads would be as well looked after.

12507. With regard to your lighting, Mr. Ball gave it in evidence that the Town Council had considered the question of supplying power to the present Suburban

Electric Lighting Company, and he considered that in the future it might advantageously be arranged for the Cape Town Council to deal with the whole electric lighting of the Peninsula. Do you agree with that?—I cannot say off-hand. The question of electric lighting has grown so enormously within the last seven years. When it began in Cape Town the plant was of 200 horse-power. To-day I believe that 1,900 horse-power is actually at work. So that you may see that it has grown into a big thing, and I believe the bigger you make your works the cheaper you can produce your current.

12508. So that really it should be under one local authority?—In any matter in which bulk is required to cheapen the output, the work should be in the hands of one authority.

12509. Then water and sewage would come under this head?—Yes.

12510. As the sewage from some of the suburbs would probably have to be delivered through Cape Town—perhaps through Cape Town sewers—in order to get an outfall, would it not be better to have a combined Board upon which Cape Town should be represented to deal with it?—You could not carry the suburban sewage through the present sewers of Cape Town. They are not designed to meet requirements beyond those of Cape Town itself and its probable extension, so that you could not expect the town, with a lot of vacant land still lying about the upper levels, to allow Woodstock or any other suburbs to join into Cape Town's sewers, thus taking away the reserve power of your sewerage system

12511. At present you have two systems of sewerage, one by gravitation and the other by pumping?—Yes.

12512. And for Woodstock there would certainly have to be two systems, one of gravitation and the other of pumping?—I should say so.

12513. Now, might not the pumping for both be combined into one system, and the gravitation be also combined into one system, and such modifications he made in the Cape Town sewers as to admit of it?—I do not know what modifications you have in view. I think you would have to lay down new sewers altogether, and it seems to me that the question would arise whether you ought not to find some cheaper means of dealing with this extra sewage, whether, for instance, the bacteriological system might not be preferable. So far as Cape Town sewage is concerned, the system is a good enough one. But I consider that if the sewage of the neighbouring suburbs was to come through Cape Town it would have to come in its own special sewers. The matter of the capacity of the Cape Town sewers was gone into very carefully when I was on the Town Council. I was chairman of the Public Works Committee for 5 years and I know something about the matter. I know how carefully we had to consider the question of our sewer capacity at that time. You must not forget, too, that the fall for the gravitation sewerage is a very low one. I believe the fall is only 1 in 1600. That is a very low gradient, and you cannot go rushing any quantity of sewage into pipes laid at that gradient.

12514. I am speaking of possibilities that might happen, and I think you will admit that Cape Town should have some say in any question of sewerage that might arise in the neighbourhood?—If the suburbs laid a new sewer alongside the present Cape Town sewer, I do not see what Cape Town would have to say. It seems to me that there would be no reasonable objection. That is if it was definitely discovered that the only place at which to take out the sewage was about Mouille Point. The great question which we are all bound to consider is that of keeping the place healthy. I was only wishing to point out that our present system is inadequate for any extension.

12515. Take another aspect. Woodstock had the intention of discharging its sewage into the Bay. That might prove very deleterious to Cape Town might it not?—It undoubtedly would if Mr. Good's report is worth anything. He went into the matter most carefully and took a number of surveys over a period of about 12 months. He was brought out by the Harbour Board in conjunction with the Town Council. He was a specialist at that particular kind of work, and a very superior kind of man. According to the charts of diagrams which he left behind him, as the result of all his labours, I think it is quite clear that there is no regular set or determined current in the Bay.

12516. Then this matter of the sewerage of the suburbs is a very material one to Cape Town?—Yes.

12517. And do you not admit that under such circumstances there should be a general sewerage authority for the Peninsula?—I cannot see why Cape Town should be attached to it at all, because the Council have their own sewerage scheme.

12518. You admit that the disposal of the suburban and Woodstock sewage is a question that really affects Cape Town, or may adversely affect it, and, therefore, does it not seem that there should be some combined authority to deal with the matter and

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see that the interests of no part of the community shall suffer?—I said that all the sewerage of the suburbs should be under one combined authority, but I cannot see how Cape Town is affected. If, however, Cape Town was affected, it would have to form part of the combined authority. My point is that Cape Town must have some reserve space in its pipes, whilst there is any possibility of an increased demand upon its service.

12519. Now, in the matter of fire extinction. At present Cape Town is the only authority that has any system in working order. Do you not think that whatever system is adopted should be carried right through the Peninsula on one basis?—I think it would be well for it to be so. At the same time there would have to be centres in each town.

12520. So that Cape Town should combine in the matter of fire extinction?—I see no objection to a combination, provided that it does not lay any additional burden upon Cape Town.

12521. With regard to tramways, they will fall in within the next 20 years, and then it will be essential that there should be some combined authority, otherwise insuperable difficulties will arise to taking them over?—In that matter Cape Town must undoubtedly combine.

12522. Even in such a small affair as wash-houses, would not some combination be advantageous? I understand that the Cape Town Council propose to put up wash-houses near the Woodstock border. In that case would not some combination with Woodstock be advisable?—You cannot centre wash-houses for any large area in one place. They must be distributed.

12523. But if you put a wash-house near the Woodstock border, should not the Woodstock people have some right to use it?—So long as the wash-houses can be properly drained, and there is sufficient drying ground for the clothes, they should be made to serve for the people in any area.

12524. Even in the comparatively small affair of slaughter-houses, do you not recognise the advisability of combination?—There are no slaughter-houses now in Cape Town. In former years we had the question of the construction of abattoirs before us very frequently, but we were always blocked by the difficulty of the drainage. When we got our drainage, there was no necessity for the abattoirs, because no slaughtering was done in town.

12525. Then you are consuming meat in Cape Town over the slaughtering of which you have no proper inspection, and therefore no real guarantee as to the wholesomeness of the article?—I suppose that is so.

12526. Should there not be some combined action in this matter of slaughter-houses?—Is it not likely that all slaughtering will be prohibited in the Cape Peninsula?

12527. I do not know that that is so?—I must agree with you that one cannot be too careful in the matter of the food supply of the people.

12528. Then there is the matter of the Municipal regulations for licensing vehicles. Ought not all these to be upon one basis?—Yes, I think so.

12529. At present one may take a cab in Cape Town to go out in the direction of the suburbs, and when you get to Woodstock you are quite in the cabman's power. You have no control over him. He may put you down or demand any sum that he likes?—That is so.

12530. In the matter of building regulations, too, should there not be some conformity of building line especially along the road that runs from Cape Town through the suburbs as well as some architectural conformity?—We have made efforts in that direction of architectural conformity but not very successful ones.

12531. Would it not also be well if there were one basis for Municipal regulations throughout the Peninsula?—I believe that Cape Town's regulations have been largely taken over by some of these suburban Municipalities.

12532. We may also come to the matter of brothels. The need of combined action in that regard is very marked. Cape Town may take action upon the inmates of some of these places and all they do is to go over the Woodstock border and carry on their business the same as ever?—We have tried our best to do away with them in Cape Town.

12533. There is the important matter of the public health generally and dealing with infectious diseases. You virtually had to combine or rather you were driven into the direction of combining in the use of one Small-pox Hospital, and you will be, before long, combining in the use of an Infectious Diseases Hospital. When plague broke out there was considerable difficulty owing to there being such a number of disunited units in dealing with a disease which shewed no distinction between the boundary of one area and that of another?—I was not a member of the Council at that time, but from what I could gather it was the matter of cost that really frightened

them. They did not know what they would have to pay, or who was to bear the cost. That was really the cause of the indecision.

12534. You may take it from me that there was considerable difficulty owing to having a number of separate local authorities to deal with a disease that should have been dealt with by one strong combined authority?—I can quite believe that.

12535. You said, a little while ago, that Cape Town would reap no benefit from combination. Are you still prepared to say that?—I think so. I mean on the matters which I have already mentioned. Slaughtering is not done here, and I did not know that it was done in the Peninsula at all. I thought it was done about Piquetberg or Beaufort West. If not, and it is known that combination in that line is necessary for the public good, I certainly would not say that Cape Town would not benefit by it. I do not think, however, that Cape Town is going to benefit in the matter of drainage more especially, and also in connection with lighting and matters of that kind, upon which Cape Town has already pledged itself to a very large extent.

12536. But speaking broadly, there would be considerable advantage to be derived by Cape Town from joining with other Municipalities?—On many of the things that you have mentioned there would be. But, if you began with a Board such as I have already suggested, you would find that as time went on the possibility of closer amalgamation might grow stronger.

12537. But do you not think that the longer you put off such an amalgamation the more difficult it will be to bring it about?—On the large matters of which I have spoken I agree with you.

12538. In bringing about such a combination as that, it would not be wise to set about it by amalgamating and absorbing all the other Municipalities into Cape Town without some reconstruction of the present Council to give a fair representation on it of all the other areas?—Yes, there should be some kind of Ward representation, but until one goes thoroughly into the working out of the details of such a scheme one can scarcely say what is required.

12539. Do you not think that if you were about to make a practical working scheme that would be accepted by Cape Town and other Municipalities Cape Town should be part of some reconstructed Council, of course taking some of the form and material as you have got it in Cape Town, as a basis upon which to build?—You mean by increasing the size of the Council?

12540. Both by increasing its size and powers and the manner of representation?—There would seem to be no harm in it. I would not object to its being increased.

12541. In such a reconstruction, do you think that Cape Town has anything really to fear, seeing that it has already got its machinery—its specialised departments—in more or less working order?—If the representation is preserved Cape Town has nothing to fear.

12542. Do you not think that it has everything to expect?—Except in the matters I have mentioned. The questions of Public Health and similar matters are really the only ones in which it has much to expect.

12543. Do you not think that what has frightened many of the people upon this matter of amalgamation is simply the details of adjustment, which can be easily arranged?—If I had any scheme or suggestion as to what adjustment ought to be made, I could speak more freely, but as far as I can see I am doubtful as to how you can adjust them. For instance, how are you to adjust the value of the waterworks and of the sewerage?

12544. I think you will find that Mr. Gurney will be able to formulate a scheme of adjustment for public works completed?—If I could be shown a scheme in which Cape Town's rights are to be preserved, and that it does not lose control over anything that it has laboured for so hard, then I would not object to amalgamation, but I should jealously guard the rights of the town.

12545. Then if the Commission were to formulate a scheme which would safeguard all the rights of the various Municipalities and combine them into one strong local authority, you would support it?—I do not see anything against it, but I would first want to know how it was to be done.

12546. You would consider that it would be a very desirable thing?—I would not object in the slightest if there are benefits to be obtained from amalgamation.

12547. There would have to be some amount of give and take, but if a scheme were formed to meet these points would you support it?—I do not know what the scheme would be, but I would undoubtedly support it if it were to meet those points.

12548. *Mr. Gurney.*] You think that the suburban Municipalities would object to coming into a combination with Cape Town owing to the difference in debt per capita, but do you not agree with Mr. Ball on the point of the extra assets of Cape Town equalising matters?—There is a broad principle that it costs more to keep up a town than it does to keep up the country.

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12549. You spoke about the cost of the upkeep of the roads in the town, but is that not compensated for by the greater value of the houses running alongside those roads?—But would the country people look at it in that light? Would they not object to seeing their money used on Cape Town roads?

12550. Supposing that the same rates were being paid in the suburbs as in Cape Town, would it not be a fair argument to use to any suburban ratepayer who grumbled, that the road passing his house cost as much to keep up in proportion to the value of his house, as the road in town costs in proportion to the values of the houses which it passed?—I do not see that that quite applies. Take the case of the suburban house which is not on the main road.

12551. Do you not think that the same applies to every sort of road. You spoke about the heavy traffic in the town, not the traffic which came from the country but the traffic passing from warehouse to warehouse, is that not all paid for out of the increased valuation of the town's properties?—The only way that I see to meet the contention that I have raised would be the spending of the rates raised in a certain area upon that area.

12552. I am trying to go further than that, and to shew that there is not necessarily any inequality?—I cannot see how you can get away from it. If you only knew what it costs to keep up a road like the Dock Road in Cape Town, it would astonish you.

12553. But the property running alongside the road in the towns brings in an immensely larger revenue than the properties alongside the country roads?—Is the country ratepayer going to consider that? Even in the outskirts of Cape Town itself you hear the complaint that a large amount of the public money is spent in the centre of the town. But if you have roads in the centre of the town which have much more traffic upon them than in the outskirts, you have to spend more money upon them than upon the outside roads.

12554. Then, if in an amalgamated Municipality you had a system of differential rating for the various areas, there would not be the difficulties which you now anticipate?—If you had a differential rating system, you would also have to spend the money you raised in the suburbs upon the suburbs and not upon Cape Town.

12555. The rating of an area would be based upon the estimated expenditure upon that area. It does not necessarily follow that every penny would have o be carefully set aside and spent upon the area in which it was raised?—That would meet the case, although in regard to the undertaking of large works in the suburbs the present system of a maximum rate might affect things. For instance, in Cape Town the maximum rate is 4d. in the £. You frequently hear people saying, "Why do not the Town Council put on another penny in the £ and get things done?" They do not know that the Council has not the power to go beyond 4d. in the £. But if you say distinctly, and can show it to the ratepayers of the suburbs that they will not be put to additional expense for works done in Cape Town, I should consider that they would be satisfied.

12556. You say that Sea Point would object to amalgamation with Cape Town and that Woodstock would object to amalgamation with Cape Town; do you think that these objections would still be made if there was a general amalgamation applied to all the Municipalities?—If you clear away the impression that they would have to pay for the upkeep of Cape Town you will have done a good work and have made a great stride in the direction of amalgamation.

12557. You said that the small men were good enough for the small work of the Municipalities, and you also mentioned that when big works were on hand big men—that is men of large business experience and other qualifications—were generally available, but how would you get these big men if the members of the Board of Works empowered to do the large things had to be elected from the Councils of the small Municipalities?—I believe that if the bigger man knew that he was required to go through the smaller Council before being placed upon the bigger Board he would do it. I have sufficient confidence in the desire of the people resident throughout the whole of the Cape Peninsula to say that they are determined to have the very best system of government that it is possible to get, and that they are determined to make some sacrifices to obtain it. We all recognise that Cape Town, from its geographical position, must be a place of importance, and we also recognise that, provided we have proper drainage and sanitation in the town, it can be made one of the healthiest cities in the world. I am quite convinced that when the opportunity is given to these people they will rise to the occasion.

12558. Then you consider that if the people of, say, Wynberg, knew that in electing their Councillors they were electing some members to the Cape Peninsula governing body they would be more likely to take a keen interest than if they only had before them the election of their own Municipal Council?—That is so.

12559. I do not see why you do not agree with Mr Ball's statement that, although Cape Town has a heavier debt per capita, its assets more than make up the difference? —I do not disagree with that statement, but I want to point out that it does not cover the whole of the difficulty. It is quite true that Cape Town does possess these great assets.

12560. And therefore, proportionately, Cape Town has not such liabilities for the future as these local Municipalities which have not yet even drainage or a proper water supply. They have an indefinite liability for the carrying out of these works?—Of course you must not forget that in the eyes of most of the people in the country the very indefiniteness of the future liability is an advantage. It has always been so in every place that I know of; the people are always going to do things so cheaply. In the suburbs they were going to get water from French Hoek so very much cheaper than Cape Town could get it.

12561. *Dr. Anderson.*] Do not you think that it would be a very dangerous experiment to give unlimited power to this Board which you propose should deal with the larger matters in the suburbs, seeing that the Board is to be elected by the Municipal Councils from amongst their own members? How are you to control their action? They have no constituents to be answerable to?—You must not forget that although elected to this Central Board a man does not get away from his constituents for long. His seat becomes vacant when his term of office on the Municipal Council expires, and then he must go and give an account of himself.

12562. But, in the meantime, the Board may have spent a great deal of money? —I would trust them. I know that when I was on the Cape Town Council, we had tremendous powers and might have wasted a lot of money.

12563. But you had not to forget that you had to return to your constituents?—The members of this Board will have to do just the same. Although elected from the smaller Councils they must go back to the ratepayers when their term of office has expired. Their power is really derived from the ratepayers.

12564. But would not the plea of these members be that they were sent to the Board by the members of the Municipal Council and not by the ratepayers?—Every member of these Councils will have stood before his constituents in the sense of being eligible for membership on the larger Board.

12565. You seem to have a great desire, in your remarks upon amalgamation, to keep Cape Town intact, but are not the boundaries of the town at present very artificial ones?—Yes; I said that they wanted better definition.

12566. Do you not think that it would be a gain to the position of Cape Town in the eyes of the world in the matter of prestige, if there was an amalgamation with the suburban Municipalities?—The best gain to Cape Town and suburbs in that direction would be for them to be able to say that their death-rate was the lowest in the world.

12567. *Dr. Gregory.*] You have not been able to show that yet?—We are getting on.

12568. *Mr. Gurney.*] The inclusion of the suburbs would help Cape Town in that direction?—Perhaps.

12569. *Dr. Anderson.*] Therefore, it is very necessary for Cape Town that there should be some amalgamation?—Yes, I think so in those respects.

12570. Health matters will be far better dealt with by a big Board than by a number of small separate Municipalities?—Yes, the question of contagious and infectious diseases might be better dealt with by a larger Board.

12571. They could be better dealt with by officers devoting their whole time to the work?—Yes, but you might do it with the present Municipalities still existing as Wards. You need not do away with the Municipalities as they now are if they were only treated, for those purposes, as Wards of a larger Board.

12572. If you had a large Municipality for all purposes, with a system of Wards, would not things be done better?—If you had Ward Committees it would practically come to the same thing.

12573. But you would have only one set of officials?—If you had Ward Committees elected by the ratepayers of the particular Wards whose duty it was to confine their operations within their respective Wards, I would be satisfied. I mean that you should change the present Councils into Wards of one larger body, but should not too closely combine them. Each Ward should look after its own particular work.

12574. Probably in the event of an amalgamation into one large Municipality of, say, 50 members, Cape Town would be divided into, perhaps, six Wards, and all the other Municipalities would have Wards, the members elected for each Ward being constituted a Committee to deal with their own local matters?—It all comes back to the question of expenditure. If you can show the people that the money obtained as rates in their areas is spent upon those areas you will have, largely, solved the difficulty,

Mr. *George Smart.* — 16th June, 1902.

12575. If that can be arranged, and I think you will find that it can, do not you think that this large Municipality would do more efficient work as it would do away with considerable friction, which now results from the multiplicity of governing bodies?—It might, but this is a big experiment which you propose—the doing away with all the Municipal bodies.

12576. *Chairman.*] I think your evidence amounts to this, that you would like to see this Board set up as a sort of *modus vivendi*, not that you have such a profound faith in its ability to grapple with the problems now facing the Peninsula?—I do not think you are quite right. I have a profound faith in the absolute necessity of some such body to do the work.

12577. As against a large Municipal Council?—That is quite another question.

12578. You suggested the idea of a Board separate from the Municipalities, not because it has any particular superior excellence in itself, but because you are afraid that an amalgamation of the various Municipalities will not work?—Yes, that is so.

TUESDAY, 17TH JUNE, 1902.

Present:

Hon. Sir W. BISSET BERRY (*Chairman*).

Dr. A. J. GREGORY.	Mr. W. E. GURNEY.
Dr. A. J. ANDERSON.	Mr. T. STEWART.
Mr. J. E. R. DE VILLIERS.	

Mr. Robert Paul Loftus Wahl and *Mr. William Thomas Olive*, M.I.C.E., examined.

Messrs. *R. P. L. Wahl* and *W. T. Olive.* — 17th June, 1902.

12579. *Chairman.*] Will you kindly give your full name, Mr. Wahl?—Robert Paul Loftus Wahl.

12580. You are an attorney practising in Cape Town, and you appear here on behalf of the Marine Suburbs Company, Limited?—Yes.

12581. And will you please give us your full name, Mr. Olive?—William Thomas Olive.

12582. You are a member of the Institute of Civil Engineers, are you not?—Yes.

12583. And you appear here as the Engineer of the Marine Suburbs Company, Limited?—Yes.

[From this stage *Mr. Wahl* answered most of the questions.]

12584. Mr. Wahl, with reference to your estate at Camps Bay, the first clause of our Commission reads as follows: "To consider and report on the adequacy or otherwise of the water supply, drainage, sewerage and lighting systems of the following Municipalities of the Cape Peninsula, namely: Cape Town, Sea Point, Woodstock, Maitland, Mowbray, Rondebosch, Claremont, Wynberg, Kalk Bay and Simonstown, and also for the inhabitants of Camps Bay; both in regard to their present population and probable population in the near future." That clause indicates the matters on which we have to make recommendations with reference to the area of "Camps Bay," which area is the property of the Cape Marine Suburbs, Limited, is it not?—Yes, that is so.

12585. Will you kindly just tell us simply the history of that Company from a public point of view?—Yes. Camps Bay had been split up to a certain extent, and the land had come into the hands of a fair number of people who had small houses there, where they were in the habit of spending a few weeks, or months, during the hot time of the year. In other respects, the chief owner there, Mr. Mills, did not want to part with the land. It struck a certain number of people, not only in Camps Bay, but also in Cape Town, that, if Camps Bay could only be connected with Cape Town, by means of rail or tram communication, and had certain facilities in that way, it would be an ideal watering place. And, accordingly, they formed themselves into a syndicate, known as the "Mills Syndicate, Limited." This syndicate applied to Parliament for power to build a tramway, known as the "Camps Bay Tramway" now. The necessary authority was duly granted to them by Act No. 34 of 1899. Then certain other gentlemen, together with the Mills Syndicate people, finding that the development of the property, as a watering place, would be an accomplished fact in the near future,

thought that it would be wise to obtain possession of land there, for the purpose of establishing a township. They accordingly acquired the land by purchase, and they paid what was then considered rather high prices for it. They acquired the whole of the area to the seaward side of the Round House Gorge.

12586. What is the extent of this area?—It was thought advisable to obtain an amended title, so as to have the area properly defined; the necessary steps were taken and an amended title was obtained for what is called "New Brighton." The area of that is 489 morgen and 596 roods.

12587. And that property adjoins the Municipality of Cape Town?—A very small piece indeed; at one spot it extends to the opposite bank, a little beyond what is known as the "Round House Gorge," and that portion falls within the Municipality of Cape Town. But, with the exception of that very small strip of land, the boundary of the estate is common with the boundary of Cape Town Municipality.

12588. You don't march with the Municipality of Sea Point, in any way?—No; with Cape Town, and on the side of the mountain, along the slopes of Table Mountain, we march with Cape Town again.

12589. And to the southwards?—Southwards is again our own ground. Oudekraal is that portion of land between the Twelve Apostles and the sea, extending from the neighbourhood of the "New Brighton estate" to the neighbourhood of Little Lion's Head, near Hout Bay road. This area is about 599 morgen, I think, and is also under the ownership of the Company.

12590. So that you have about 1,000 morgen?—Over 1,000 morgen, and, of course, the real surface area would be considerably more, surveyors' measurements being taken on the straight line.

12591. That is the area described as "Papendorp and Woodstock" on this map?—Yes; that is for electoral purposes.

12592. According to the Surveyor-General, the total area of Papendorp and Woodstock is 2,300 morgen, and you represent it, now, as a little over 1,000 morgen?—Yes, but Cape Town has more mountain ground, and possibly the Surveyor-General may have included in that the actual precipices which do not belong to us.

12593. Your property being more on the low lands?—Well, our property goes up to the crags, but not on to the unclimbable part.

12594. That accounts for the difference in extent?—I suppose so. Inside the Camps Bay area, the Camps Bay hotel does not belong to us. And inside the Oudekraal area, there is a small piece of ground—about two morgen—which belongs to the Cape Divisional Council. It is called "Hottentots Huisje," and that does not belong to us.

12595. When did you obtain transfer of this property?—The amended title was only taken out within the last few months; but, with regard to Oudekraal, I have not got the details here.

12596. Your interest would date to very shortly before the time when you introduced that Tramway Bill into Parliament?—Yes, from that time, because it was not brought into one hand until within the last couple of years. At the time, really, it was still in the hands, partly, of the separate owners.

12597. To what extent have you subdivided the property for building lots?—As yet, we have not parted with a single foot of land.

12598. Has it been surveyed?—Very carefully surveyed, and a number of plans have been prepared—I believe no less than five in all.

12599. For the purpose of its subdivision?—Yes; the great object is to preserve the natural beauties of the spot, as far as the laying out of the township is concerned. The idea is not in the least to destroy the natural beauties of the place.

12600. You wish to lay it out so as to preserve the natural lines, as far as possible?—Yes, and our object is to try and make the most of it, and these plans have been prepared specially with that view. The plans will contain all directions which are advisable to be laid down in regard to any land sold. But in no case will any road, on any of these plans, be less than 40 feet wide. Mr. Ball made a point of the question of roads, not being the proper width in some places, and we quite agree with him that it would be a great mistake to allow narrow streets.

12601. Do you propose to restrict the future owners in respect of any subdivision of the lots sold to them?—I think not; the lots would be of a size that a man would require for a decent class of house. It is not proposed to allow other than a decent class of house.

12602. Then you do propose to restrict any future subdivision of the lots?—Possibly not, as regards the subdivision; but as regards the building, I think, the same condition as that imposed in the case of the Oranjezicht estate would be insisted upon, namely, that they could not put more than one house on any one plot. No terraces will be allowed. I believe that condition will be insisted upon.

Messrs. R. P. L. Wahl and W. T. Otter. 17th June, 1902

12603. That restriction, then, will be imposed?—Yes.

12604. And you consider that an advisable restriction, in order to preserve the amenity of the place?—Oh yes. It is far better, from a Municipal point of view, not to have those row of terraces, because in the case of fire the risks are so much greater where you have those terraces.

12605 Have you formed an estimate of the number of these lots that are likely to be built upon?—Well, it will certainly run into between 4,000 and 5,000, I believe.

12606. Each would be roughly about half an acre?—Yes; the lots would be of the usual size of lots lately sold elsewhere.

12607. *Dr. Gregory.*] About 90 feet by 50 feet?—About 100 feet by 50 feet. Of course, in a great many cases, it would be more. The idea is not merely to cut up the place, but to study the natural features of the place, in so doing; and the consequence would be that a great number of the plots would be larger than 100 by 50.

12608. *Chairman.*] Then, approximately, we may say that the number of houses in this area would not exceed 4,000 or 5,000?—No; but it would be many years before the number would reach even that.

12609. It is not likely to exceed that number within the near future?—Certainly not.

12610. Now, for purposes of local government, what is contemplated by your Company?—Well, the Company had contemplated applying for a separate Municipality at the time when this Commission was appointed. Really, only since the appointment of this Commission has the question been raised into prominence. The owners considered there would be no trouble in obtaining a proclamation and establishing it a separate Municipality, and they are extremely anxious not to be handicapped, at first, by the debts of other places. These debts have been incurred by those particular places, and the money has been spent for their benefit entirely. And, above all, the owners of this property consider (it might be a conceited idea) that they would be far better able to attend to their own affairs, especially having the time to devote to them and hoping to have the money too, than a Municipality, having the control of a much larger area, with no special interest in this particular place. They further consider that it requires a constant hand and an ever watchful eye to attend to the needs of the place in its development, and in making it an ideal watering place.

12611. And quite lately the Cape Town Corporation have given notice of a Bill, to be introduced into Parliament for certain amendments in their Act of Incorporation, and this Bill makes provision for including this area, at Camps Bay, within the bounds of the Municipality of Cape Town?—That is so; notice has been given of this Bill, of which I produced a copy the other day. According to the evidence which Mr. Ball gave the other day it seems that the Bill was drawn up in a great hurry; in fact, he admitted that the Bill as it stands is very bald indeed. It simply provides for bringing this area in under the jurisdiction of the Municipality of Cape Town, and there is not a solitary word or even a line in the Bill making provision for the place itself or safeguarding the inhabitants there. In fact, it appears that the Bill was simply considered by a certain Committee of the Council, or by its officials, and that the Council as a body did not discuss the matter beforehand at all. The notice of intention was given by a separate Committee, and the Council as a whole never resolved to give notice of their intention to introduce such a Bill.

12612. Since that time, have you been able to reflect on these two points: whether you consider it still advisable to proceed in the direction of having a separate Municipality there, or have you been able to contemplate any provisions under which you would care to agree to the incorporation of this area within the Municipality of Cape Town, and so to safeguard the interests of the promoters of this Company?—Well, as far as my own knowledge of the intention of the Board goes, and as far as my instruction in the matter goes, they still feel very strongly that it would be fatal to them as property owners, and to the place itself, to be brought under the control of a body such as the Cape Town Municipality. The members of the Cape Town Council have, at least, as much work to do as their time could possibly allow them to take in hand. And the Company consider that Camps Bay will be lost sight of if brought in under Cape Town. Considerable attention has been given to the question of Municipal Government generally, and especially in consequence of the appointment of this Commission, much attention has been drawn to the subject. And it is generally felt that while on certain large matters, such as a general water supply for the Peninsula, and questions affecting the public health, combined action and management certainly would be advisable, and for which a general board might be established, yet, as regards other local Municipal matters, the feeling is very strong that it would be a very great mistake to take those matters, which are purely of local interest, out of the hands of the local people. The position the Company takes up is this: if the Commission were to recommend, for example,

that all the Municipalities should be amalgamated into one body, then of course we would have to come into the same amalgamated Municipality, in the same way as everybody else, although we do not think that that step is likely to be adopted, as regards all Municipal matters, but that probably something in the nature of a Water Board would be established for looking after water, drainage, and things of that kind. We think that, outside those larger matters, each Municipality may be left to look after its own local affairs. If that were done then we should not like to be in a worse position than these separate Municipalities. If they are allowed to manage their own affairs, then we say we should, at least, be placed in as favourable a position as they.

12613. Of course the Commission has not yet formulated its views, but suppose we advance on the assumption that there will be something in the nature of a general amalgamation of the whole of the Municipalities in the Peninsula, under what conditions would your Company then be prepared to come in?—Well, practically, as far as I can speak without having any special instructions in the matter, I think on the same conditions as all the other suburban Municipalities.

12614. That is to say, special representation as a ward?—Yes, whatever it may be.

12615. And now, having in view your present undeveloped condition, and the inexpediency of rating your area up to the rating level of a better developed area, like that of Cape Town, would you require some such condition as that of differential rating being applied to your area, in the meantime, at all events?—Yes; there would be distinct difficulties, of course. Our great objection is, not so much the amount of the rating, because we consider the undeveloped stage a distinct disadvantage, and it will be worth the while of the Company and of the ratepayers not to be niggardly in the payment of rates for the development of the place, but to see that things are properly done in the first instance.

12616. Then you mean that you would wish a clause to be inserted in any such Act, providing that rates raised in a particular area, or loans raised for a particular area, should be appropriated to the development of that area?—Yes, subject, of course, to such things as a general water scheme, &c., where we would, in all probability, pay according to the amount consumed.

12617. With the proviso just now suggested by Mr. Gurney, that your share of local revenue would be subjected to certain deductions for general administration?—Oh, yes; in proportion, of course, to what the other areas would have to contribute.

12618. Is there any other special provision that you would like to see introduced into such an Act?—It is difficult, of course, Mr. Chairman, for me to say now. I daresay the members of this Commission, after the amount of attention they have given to these subjects, have, more or less, some idea of what they are going to propose as the best means of solving the difficult problems.

12619. Would you give the governing body the power to prevent any further subdivision of land?—I think, generally, such a governing body should rather have the power of vetoing, as a conspicuous feature, than that it should take the initiative in such matters. Generally speaking, the object of the governing body ought rather to be to keep a controlling hand over the local areas, and to be able to veto a proposal on the part of any of the local areas which would, in the opinion of the governing body, be inadvisable to allow. But if it merely concerns the people of a particular area and cannot be substantially objected to, then the people of that area ought to be able to go in for improvements, or for supplying special wants, so long as they are willing to tax themselves to meet the expenditure in connection with it.

12620. Your population at the present time is very small, is it not?—Yes; I am sorry I cannot speak definitely on the point. The Government, I believe, are preparing a rough census of the Cape Peninsula, and I have been asked by Mr. Dale of the Colonial Office to prepare certain information for him in that connection.

12621. The population is very small, we may take it, for the object of this Commission?—The population is very small at the present time.

12622. That seems to point to the fact that you can scarcely be rated as a ward by the governing body on the same terms as a highly-populated ward?—Well, it is rather this: it may be like the fairy wand. One day you may only have a few ratepayers, but the day after you may sell and so secure many.

12623. What provision would you propose to introduce to safeguard that contingent interest? Suppose at the time the Bill became law you had a limited population of, say, 250 or 300, and you wished to provide for possible increase up to 2,500 or 3,000, how would you propose to safeguard your interests with the governing body in the Bill? You seem to imply that for a ward system to be introduced into an area of this kind, its representation, on the general Council, would be on a population basis?—Yes, but I am afraid that would certainly from our point of view be a wrong basis to take. Because the people may not be actually living there and still owning land and they

would have, as ratepayers, to vote money for expenditure in the development of the place so as to increase the value of their properties.

12624. It might be provided that representation and proportionate voting accrue on the subdivision and sale of the lots, and the interests being established?—That is largely the idea.

12625 By even non-residents?—Yes.

12626. Some such provision as that would be required in the Act?—Yes; we have at the present moment places like that: as, for instance, Somerset West and Muizenberg, where there are a large number of non-resident owners who occasionally pay visits to their properties.

12627. The point I would like to get at is when the services with which the public is usually supplied by a Municipality, should be initiated within this area? What would be the starting point? Would it be a petition from the owners, and from the residents—the petition from a certain number of people?—Well, of course, you now speak of a case where general amalgamation takes place, but we rather think that if an amalgamation takes place it would be a scheme by which a given number of functions would be delegated to the Board or other large body, and that a number of other functions would in any case be left to a Local Board in the different areas.

12628. Then when would that Local Board be established? At what point in the history of the place?—I should say the moment that we sell the land.

12629. That is a definite point. You say the moment you get up to a certain number of local owners?—Yes.

12630. You would suggest then that representation, in a ward, might be on teh basis of an average between the population and the rateable value? You would have to strike an average between the two, as in certain other matters of representation?—I think that would be the basis. As regards certain matters, we admit that it might be an advantage, but we respectfully submit that with general Municipal matters no system of ward representation would secure justice to an outlying area of this kind. We have had experience of the ward system in the past, so that we know more or less how that will work out.

12631. Consideration ought to be given in the matter of representation, not only to the population, but also to the rateable value of the property?—Yes.

12632. Now, seeing Mr. Olive here suggests the question, namely, have you made any surveys, or general arrangement of the land, in view of necessary sewerage for that neighbourhood?—Well, I may say, that Mr. Olive has only specially gone into certain points lately, but he has not gone into any details. We have had to look to a water supply in the first instance.

12633. Your water supply could easily be got from Cape Town?—No, we own sufficient water on our property which would serve us for years to come. We have several springs on the whole of our property and, on the Oudekraal portion alone, we have sufficient water for a population of from 10,000 to 12,000 people.

12634. To bring that to the houses you require to lay down pipes, don't you?—Oh, yes; it would have to be a proper system. But we don't wish to make an absolute stand, as regards our water supply, because if it should be decided that water for the Peninsula should be dealt with by a large scheme, then we think it would be advisable for us to join that, and get the benefit of it too.

12635. You would have the water now, but it is a problem whether that water could be distributed for domestic purposes, at a less cost than that at which Cape Town could supply you?—Oh, yes. That is, assuming that Cape Town can supply more people than its own, unless they join in some other scheme. But it might be that we may become wholesale buyers like the Municipality of Sea Point.

[From this stage *Mr. Olive* answered most of the questions].

12636. On the question of sewerage, have you gone into that matter, Mr. Olive?—There would be no difficulty whatever.

12637. But there would have to be an independent system, I take it?—Yes.

12638. With an outfall into the sea?—Yes.

12639. The conditions of the land there are extremely favourable, are they not?—Yes, the general contour of the land is good.

12640. And that scheme, of course, would have to be carried out by borrowed money, supposing you were amalgamated?—(*Mr. Wahl.*) Certainly; whatever form it takes, it would be advisable not to go on the penny wise and pound foolish principle. We should go in for a proper scheme.

12641. Would you be agreeable to a united Council borrowing sufficient money to sewer this locality and making the expenditure, in connection with it, a charge upon the rates levied in that neighbourhood?—(*Mr. Wahl.*) That is what the governing body might do.

12642. As a special assessment in the neighbourhood?—(*Mr. Wahl.*) Yes.

12643. Have you observed on that coast, Mr. Olive, whether there are any permanent ocean currents?—We have had no observations taken at all in the sea in that locality.

12644. But, of course, there being an open sea there it is presumed that there are currents, I suppose?—Well, broadly, I would not like to give an opinion on that for this reason: that it would be quite a simple matter to treat the sewage on such ground as they have there, and letting the effluent go into the sea. Broadly speaking, the rocky and irregular nature of the coast there is not favourable for a sea outfall.

12645. And you would be prepared to consider a bacteriological method of treating the sewage?—Oh yes, or some such system. (*Mr. Wahl*). I may say, Mr. Chairman, that there is a strong under current there, which makes bathing dangerous along the coast, with the exception of certain little coves where it is considered safe to bathe. Therefore, it is a point for the future which will have to be considered by any Municipality. But our intention is to do good work.

(From this stage *Mr. Wahl* answered most of the questions.)

12646. We can, at present, only go so far as to have general ideas?—Yes; what will actually be done will have to be decided afterwards.

12647. *Dr. Gregory.*] When is it expected that sales will take place, and that a community will actually begin to spring up at Camps Bay?—Well, I could not at present, fix a date because the Board has not decided the matter as yet, but it certainly would not be a matter of a few years by any means. It would not be a number of years ahead. In any case, it would not be very long. We have had one engineer there who has had a great deal of experience in laying out watering places in the South of England, and we are going to get another one out. Our object is not to be in too great a hurry, but to do the thing properly from the start.

12648. Then the question is that it would not become a matter of urgency for a year or two?—Well, I think within that time. Perhaps, within a year's time, we may have all these things, which are now in the air, in actual existence.

12649. *Dr. Anderson.*] It was suggested to us, yesterday, that Camps Bay might be joined on to Sea Point. I suppose you would have the same objection to be joined on to Sea Point as you have to be joined on to Cape Town?—Yes, I think there would be, at least, the same objection. We consider that, having our special wants constantly under our eyes, we would do more justice to the place than people elsewhere would be able to render. It could not be expected that they should give the necessary time and attention to an outlying place like that. With certain things we might combine, cheerfully, but there are again other things which we consider cannot be done successfully except by ourselves.

12650. Would it be more to your advantage to join Cape Town than to join Sea Point?—Well, I am afraid that our opinion of Cape Town does not go quite so far as to enable us to say that. We would rather not join either of them.

12651. Sea Point is a suburb of Cape Town, is it not?—Yes, and all we ask is to be a separate area, as far as separate areas are allowed in the Peninsula, and we strongly object to become part of Cape Town, as the Bill, of which they have given notice, proposes to make us.

12652. *Mr. Stewart.*] How far is the nearest point of Camps Bay area to Sea Point?—I daresay you have been out there, and I will try to explain it by using local names of places. The Sea Point boundary marches with that of Cape Town between Botany Bay and Clifton; then there is a strip of land under the Municipal Council of Cape Town up to the Round House gorge, and there, almost all the way from the sea in the direction of the Kloof Nek, the boundary of the Cape Marine Suburbs property marches with that of Cape Town. Then the Company has the ground first as the "Brighton Estate" at Camps Bay proper, and then the Oudekraal property.

12653. Have you any idea of the distance in miles?—I am sorry I have not the Tramway plans with me, because on them the distances are marked. I should think, however, that from the Sea Point boundary up to the beginning of the Camps Bay area would not be more, taken as the crow flies, than half a mile.

12654. A very short distance, anyhow?—Yes.

12655. About how far, in miles, does your property extend along the Victoria Road?—That, I should say, would certainly be above six miles.

12656. About 6½ miles then, from the Sea Point boundary to your furthest boundary?—Yes, it runs to just where you see Little Lion's Head.

12657. I understand from your evidence, that one of your objections to your being joined to Cape Town is that the Council of Cape Town has quite enough to do in looking after its own affairs, without attempting to look after the interests of Camps

Bay?—We think that any Council of that kind will, in any case, attend to their own affairs first of all and then to those of the other people. And it would never be the business of Cape Town, really, to look after Camps Bay, as it would be their business to look after Cape Town.

12658. You hold that opinion because all the conditions upon which your buildings would be erected in your township would be considerably different from those of Cape Town?—Yes.

12659. *Chairman.*] In mentioning the fact that your property extends to some six miles beyond the Cape Town boundary, in that neighbourhood, it would be qualified by another fact that you don't intend to offer the whole of that land for sale?—It depends upon the buying public.

12660. In any case, not immediately?—No, because I don't think the Cape Town public would buy such a lot of land, in the near future.

12661. The proposal of the Cape Town Municipality, in their Bill, is to include the whole of the land that is in your possession, is it not?—No, as I read their Bill, they propose to include the Camps Bay area and not the Oudekraal area. But then, Mr. Ball explained in his evidence before the Commission that later on they would apply to extend their area to Oudekraal as well, and that the omission of Oudekraal in the present instance from their Bill is purely accidental.

12662. It is supposed though that, in the future, as the demand for land for building purposes extends, the whole of the six miles will be disposed of for that purpose?—Oh, yes.

12663. *Dr. Gregory.*] In fact, you bought believing that it should extend to that length?—Oh yes, ultimately.

12664. *Chairman.*] Is there anything else that you would like to bring before the Commission, Mr. Wahl?—The only thing I see that has not been touched upon is the question of lighting, but I don't know that we have any special objection to that being dealt with in a general way. At present, the Camps Bay Tramway Company has the power, under its Act, to supply electric light for the whole of this area, and we have at present an arrangement with the Cape Town Corporation, by which we supply them with a certain amount of electric light on the upper part of the Kloof Road properties.

12665. The Cape Town Corporation is putting down a very much larger plant now and they would be able to make all reasonable arrangements?—At the present time, it is the other way about. We have the power and we are under contract to supply Cape Town with a certain quantity of light.

[From this stage *Mr. Olive* answered most of the questions.]

12666. Mr. Olive, your name has been mentioned very often in the course of our enquiry, and we have been disappointed up to this time that we have not been able to have you before this Commission, and we should be glad if you could see your way to give us some evidence upon all these public matters, with which, it appears, you have been professionally associated for a great number of years?—Well, Mr. Chairman, I am here to-day on behalf of the Cape Marine Suburbs Company, Limited, on the question of amalgamation.

12667. But you have been interested in many matters in connection with water supply and drainage, have you not?—Yes, with Municipal matters, generally, for the last 30 years.

12668. We are anxious to close our inquiry, and we hope to do so this week or, at the outside next week, and we should be glad if you could give evidence on such matters as water and drainage?—I should be very pleased, Mr. Chairman, but I am not fully prepared to-day.

12669. We might appoint a day for you?—Might I say that the evidence I have to give in connection with the Marine Suburbs Company, Limited, is altogether a minor matter and a few minutes would exhaust what I have to say upon the subject; but the broad questions of lighting, drainage, water supply, and Municipal matters, generally, would take, at least, two or three days.

12670. Is there anything you would like to say with reference to the drainage and water question of the Camps Bay area?—Yes. I visited the property of the Company at Oudekraal, and I took gaugings of certain springs. These gaugings were taken in dry weather, during the months of December, January and February, and they may therefore be taken as a fair criterion as to what might be expected from the area. The result of my observations is that there will not be the slightest difficulty in supplying a population of 12,000 people, on the assumption that each inhabitant gets 30 gallons per day. I have a diagram here and I will put that in. [Diagram put in.]

12671. Would that mean delivery direct from the Springs? Is it proposed to construct storage places?—The diagram represents the gaugings of the springs, and on the right of the diagram you will see the springs are marked. Those represent only four out of some nine or ten springs that are on the property, so that I am perfectly safe in saying that there would be absolutely no difficulty in getting a supply of water for 10,000 people to-day. That is, of course, in the dry weather. During many days the gauges were submerged and I have ignored those days, so that the result I have arrived at is an absolutely fair criterion in that regard. Of course, we would have liked to have had better observations, and more extended observations, but I can assure you that there is no difficulty whatever in getting a supply for the population that I have named.

12672. Does the area proposed to be sold in any way contain the places where these springs are?—Broadly, I take it that the nearer area to Cape Town would be sold first, and these gaugings are on the further side at Oudekraal.

12673. Whence the water would have to be brought?—Oh, yes.

12674. And it would not be necessary to construct large storage works?—Not large but certain storage works will have to be constructed, and, speaking about that question, Mr. Ball spoke about the difficulty of constructing reservoirs on the side of the mountain, but it could be easily done by tunnelling into the mountain, as is done at Malta, where it has answered very well, and there is no reason why it should not give satisfaction here.

12675. That could be done at Camps Bay because you would not require large reservoirs?—That is my point; and I may say that I am informed these springs are perennial, but, of course, I have no personal knowledge beyond the gaugings taken.

12676. And that was during the dry season?—Yes.

12677. *Dr. Gregory.*] The gaugings were not taken in March, were they?—Oh, yes; but I have abstracted simply the dry months during which gaugings were taken. I have got gaugings up to May, 1901.

12678. Is not March a dry month?—Well, I look upon December, January, and February as the three driest months of the year.

12679. But in March, do the gaugings run the same?—I have not examined them. I have had to construct a diagram which I exhibit to the Commission, and this shews how I have arrived at the quantity of water that could be obtained.

12680. Your observations in the matter of drainage for Camps Bay, Mr. Olive, I suppose, have not proceeded very far?—No, they are only general; and, being quite a rural district, I don't know in what manner it has been studied. I have not seen any plan as to the development, but, from the contour of the ground and from the general lay of the land, I don't think there would be any difficulty.

12681. Would there be any difficulty with regard to storm water drainage?—No.

12682. No costly works would be required?—Works would be required, but not of a costly character.

12683. Advantage would be taken, I suppose, of the natural runs of the water there?—Exactly. Of course, as regards the lighting of the place, there is plenty of power and by accumulators that could easily be worked. Then, as regards baths, it is quite feasible to erect swimming baths there and it would be a simple matter to heat the water. Then, the tramway system could be extended still further, as the place develops. Broadly, I might say that I was interested myself years ago in the Corporation of Glasgow when it was trying to amalgamate the township of Cross Hill. It went on for about 20 years before the Corporation was able to absorb Cross Hill, and then it was done only with the consent of the inhabitants. Then, again, at Manchester, the same difficulty was experienced with regard to the suburb called Moss Side. There is also the case of Stretford, which is a suburb of Manchester, which has its libraries, parks, police service, fire brigade and other things, and still the inhabitants of Stretford did not wish to be amalgamated, and, up to to-day, they have not been. However, in time it may come, but it will only be when the inhabitants see that it will be to their advantage. Then it will come and not before.

12684. *Chairman.*] Of course, the whole position is that if a Municipality meets all the requirements of its inhabitants, then the question of dealing with it does not arise?—That is so.

12685. *Mr. Stewart.*] Mr. Olive, in taking the dry months, December, January and February, I suppose you take these more or less on the basis of the rainfall?—Yes.

12686. But from your experience of the springs which supply Cape Town, did you find that the lowest run of those springs corresponded to these months?—Not necessarily.

12687. You knew the flows of the Cape Town springs?—Yes.

12688. You were City Engineer, were you not?—Yes.

Messrs. P. P. I. Wahl and W. T. Olive. 7th June, 1902.

12689. Do you remember which month gave the lowest flows?—No, I cannot say from memory.

12690. Would you take it from me that, as a rule, the lowest flows have been in April?—Yes, but I would not apply that to this side of the mountain at all, because the conditions are so different.

12691. Why?—Partly for this reason; that the Camps Bay side is much more precipitous.

12692. But where do the springs come out?—At the top of the granite.

12693. Were your gaugings made at the junction, or further down?—These were made at what I would assume is the top of the granite.

12694. But the springs are not likely to be affected by the rainfall if they are fairly deep-seated, merely at the time when the rainfall happens?—Not, if they are deep seated.

12695. Are those springs not deep seated?—There are no indications, and no one can tell yet.

12696. So that it is not absolutely certain whether the rates of flow would continue, and you will admit that it would be desirable to have more gaugings?—Oh yes, I said so; but I have gaugings taken up to May. These were taken by a man up there but, as a matter of fact, I have only been up there myself one afternoon.

12697. Those gaugings have not been handed in?—No, but I can give you those. (*Mr. Wahl.*) This man, of whom Mr. Olive speaks, was employed for a number of seasons running for the purpose of gauging all the sources of supply with the view of supplying Sea Point. That was some time ago. Mr. Du Preez and other gentlemen had in former years obtained the disentailment of Oudekraal in the same way that we obtained, a few years back, the disentailment of the Orangezicht. And they obtained the water rights. Then this man was employed for taking the gaugings and, although it is a minor matter, it might, perhaps, be advisable for the Commission to call this man as a witness.

12698. *Chairman.*] I understand that, although you lay some stress upon those springs as a possible supply for that area, you don't insist upon this exclusively. It is a temporary provision until a scheme is formulated to deal with the whole Peninsula?—(*Mr. Wahl.*) Our position is this, Mr. Chairman, that we could help ourselves, but we certainly do not insist upon it as an exclusive supply. (*Mr. Olive.*) The view I take is this: Cape Town has already a sufficient demand upon its water supply, derived from the mountain, and that is not elastic; there is a set limit to that and that limit has already been exceeded. The storage works in 1893 were good for a population of 50,000 people at 30 gallons per head; but the additional works which have been put down on the mountain are not sufficient for a population of 65,000 people. Therefore, if Cape Town has already too much hay on its fork, what can be the object in suggesting a supply from there for Camps Bay, which has already water on the ground. If you are going 40 or 50 miles in a big scheme, in order to bring water to Camps Bay where you have already the water, it becomes a question of whether it would not be better to construct the necessary works locally rather than get an outside supply. That is my point.

12699. *Dr Gregory.*] Looking at these gaugings, roughly, Mr. Olive, there is no reason to believe that the flow during March and April was in any way or in any considerable degree less than in February?—The probability is that it was more.

12700. There is no reason, looking at these gaugings roughly, to believe that it is less at any rate?—No.

12701. *Chairman.*] Well, Mr. Olive, could you manage to give us a day?—You must excuse my putting it rather bluntly, Mr. Chairman, but to give information in my professional capacity I look upon as a matter of business, as it is, in a way, my means of living.

12702. Well, we will consider the matter and probably address a letter to you. Of course, if we cannot come to terms, then you will fail to put in an appearance?—Yes. I understand.

Mr. George Smart (Ex-Mayor and former Councillor of Cape Town) further examined.

Mr. George Smart.

12703. *Mr. Stewart.*] I was not quite sure, Mr. Smart, in giving your views yesterday on amalgamation, whether you looked forward hopefully to amalgamation being effected if we included Cape Town?—Well, I felt, and still feel, that until you can shew that there will be no additional charge or additional rate on the people who are living in one area as against the other there will be difficulty. But when you have removed that apprehension you will have removed the great cause of objection to

amalgamation. When you can shew that, then I should look hopefully forward to amalgamation coming about. But as things at present are taking, at any rate, the difference between the liabilities in one area and the liabilities in another area, and the amounts levied for rates in the one as against those levied in the other, I think that the difficulties in regard to amalgamation would be removed if you could specialise these different areas. That is a point, I don't think any one in Cape Town has had brought very prominently to his notice before. I am sure, I did not think of it, until you suggested it yesterday.

12704. Is it possible, too, that one of the reasons why Cape Town does not look so favourably upon amalgamation, from your point of view, is that the Council, having overcome the difficulties of former years and embarked on fairly big schemes, may feel that they could not proceed so rapidly if they had tacked on to them some backward Municipality?—I don't think they would object to any tacking on of any backward Municipality, but they would like to feel that they are not going to lose any of the benefits of their past work. The town would, naturally, look always to continue receiving the benefit of what they have done in the past, and would resent that others should take from them what they have laboured for.

12705. You feel that Cape Town, having taken the bull by the horns, should not lose the advantage it has got?—Yes, that is my point.

12706. Of course, you will admit that some of the other Municipalities might take up exactly the same attitude as Cape Town?—Yes, I think they do, but in the opposite way.

12707. *Chairman.*] There is a consensus there at all events?—Yes.

12708. *Mr. Stewart.*] Do you not fear that, possibly, if Cape Town took up a similar position, or rather a position of isolation of that sort, it would share a fate similar to that which befell the city of London after its successful opposition to being included in the Municipal Corporation Act of 1835, in that it remains the only important unreformed Corporation in the Empire?—I am not looking favourably upon isolation, and if you can shew us that we are not going to lose any of the benefits that we have already got, then I would not call it isolation, but their not being quite agreeable to amalgamation would be removed. I think that the Cape Town people really feel that the suburbs right through the Peninsula are bound up with Cape Town but, at the same time, they don't feel that they are called upon to be taxed for what the suburbs require and for what Cape Town has already got. If only you can shew the people that they will not be so taxed, then there would be no difficulty. All they want to be satisfied upon is that they are not going to suffer in consequence of amalgamation.

12709. Do you agree then that Cape Town people would, probably, not object to any amalgamation if all the *pros* and *cons* were placed before them, and if Cape Town would not be deprived of any advantage it has already obtained?—Oh yes, if that could be shewn, then I don't think there would be any objection.

12710. In your opinion, Mr. Smart, are there any Municipal boundaries that it would be desirable to alter or amend?—Oh, yes, I think so.

12711. Will you kindly tell us where?—Well, the Cape Town boundary at present, as I said yesterday, upon the eastern side of the city, is very unsatisfactory. It zig-zags, and the boundary runs right through the centre of houses. That is, the boundary between Cape Town and Woodstock.

12712. Can you point to any specific detriment to the public through that?—Yes, I think you will find, in the surveying of land and the subdivision of land into building plots, these boundaries, there, make them askew, and, owing to the zig-zagging of the boundary, it is entirely unsatisfactory.

12713. Would you prefer the boundary down the centre of the street, or would you have the boundary, more or less, between the properties, that is between the streets?—Well, I think I should prefer the boundary on one side of the street, so that the liability for the maintenance of the street would be clearly defined, and so that it would be well known upon which Municipality such maintenance falls.

12714. You want no repetition of a case where one Municipality water the street in the morning and another Municipality in the afternoon?—Yes, we wish to avoid things of that kind. And if the boundary were put on one side of the street we would get rid of difficulties of that kind.

12715. *Chairman.*] You said yesterday, Mr. Smart, that you thought the time had come for the abolition of the Divisional Council. But now, outside the areas of the Municipalities at present existing, we must have some form of local government?—Yes.

12716. Now, although it may be desirable, looking forward, not in the far distant future, that the Municipalities should be extended in that direction, yet you will agree that the time has not arrived for that yet?—Oh, but I think it has arrived.

Mr. George Smart. 17th June, 1902.

12717. Do you mean to say that, in your opinion, the time has arrrived when an area like that of Constantia Field-cornetcy should be brought under Municipal government?—I think so, because the farms in that neighbourhood are already placed on the market for building purposes and sold in small lots. And in order to safeguard the proper division of this land it is absolutely necessary that some authority should control it, otherwise you will have all the evils that Cape Town has been struggling with in the past over again.

12718. Now, do you think it would be possible so to reform the Divisional Council by giving it such additional powers as will enable it to deal with an area like that until such time as the area will be more fittingly created a Municipality?—I think we must look forward to the whole of the Cape Peninsula as a building area, and not as an agricultural area at all. And that being the case I consider that the extension of the Municipalities over the whole of the Peninsula ought to be taken in hand at once. Then this Board of Works, of which we have been talking, would look after all large questions, such as drainage and water for the whole area, and the Municipal authorities would look after the building matters and subdivisions of land.

12719. But now this Board of Works, you said yesterday, should be elected by the Municipalities only?—Yes.

12720. And when you said that, you meant that the outside areas at present existing should also be municipalised?—Yes, quite so. The land is being sold, as I pointed out, and the people keep it over, without building upon it, until it rises in value, and consequently they pay a very small rate upon it. That I consider is unfair.

12721. But what is to hinder the Divisional Council having additional powers, so as to be able to deal with those questions?—Well, but then you will want to remodel the whole thing, and you will have to exclude all the Divisional Council roads within Municipal areas. Undoubtedly, you cannot have the two powers. It has been an anomaly in the past and should not be perpetuated. It is an absurdity.

12722. You mean it is an absurdity for the Divisional Council to come within the Municipality?—Yes, and if you take away the power of the Divisional Council within the Municipality, then you make them simply a Board for dealing with outside areas. Well, that is a very small thing then, is it not?

12723. No, a very considerable thing, because it would be a larger area than some of the Divisional Councils in the Colony control at the present time.—The area might be large, but the population would be very sparse, would it not?

12724. But, according to your own statement, it is increasing?—Oh, yes.

12725. And we have had it brought to our notice that it is increasing in ways that are very undesirable?—Oh, yes, that is a fact.

12726. Owing, for one thing, to there being no proper sanitary control?—Yes.

12727. And until such time as it would be advisable to bring this rural area under Municipal government, the powers of some other body, such as the Divisional Council, should be extended so as to meet the requirements?—Yes, but I see no reason why the whole Peninsula should not be divided into Municipalities. You have got a new one which has just been started at Durbanville, and that could be extended right down to Maitland, and could embrace the whole of the Milnerton property, so that that would give that Municipality more to do.

12728. That is a view you stated yesterday?—Yes, that is as it strikes me. I think the whole of the Peninsula must be looked upon as a residential area and not an agricultural area. Agriculture is a thing of the past, as far as the Peninsula is concerned, and it is rapidly disappearing from it.

12729. *Mr. Gurney.*] Would you say that of Constantia too?—Oh, yes, there also it is being changed into a building area and even at Noord Hoek the same thing is taking place. A line of railway is being surveyed from Fish Hoek to Kommetje with a view of starting another suburb there. I know also that farms in the Constantia district are under offer for building areas. Therefore, I emphasise the fact that we must look upon the whole of the Cape Peninsula as residential, and not as an agricultural area any more.

12730. *Chairman.*] I think you stated yesterday that in connection with matters relating to the poor in Cape Town, you wished to give some evidence?—Yes.

12731. Would you state to the Commission what your views are?—I am of opinion that the day has come when the people should, by means of rates, support the poor of the district. This continuance of a number of men and women going about begging for money from different charitably-disposed people ought not to continue. We have had a number of poor in the past and we are probably going to have a larger number of cripples in the future. That is to say, men more or less incapable of performing any work, being altogether unfit for work owing to the war. Immediately before the commencement of hostilities there was a large number of unemployed, and a labour bureau of which I was a member was started. Then we

found that a large number of men, who had been engaged in the Langeberg campaign, were out of work because they were unable to perform any kind of work owing to their having contracted during the course of the campaign rheumatic fever, and generally they had lost their strength and were altogether run down. I think it is only reasonable to expect that we shall have a large number of the same class again, especially after the present war; and I don't think it is right that these people should constantly go about begging from the business people of the town. It is a duty which should fall upon the whole of the community. They should be required to pay for the support of these people out of rates levied upon them for that purpose.

Mr. *George Smart.* 17th June, 1902.

12732. You would extend that proposition so far, perhaps, as to make it obligatory on the local authority to look after these men and to provide Hospitals for them?—Yes, Hospitals which are entirely started and maintained for the sick poor should, undoubtedly, be a charge upon the rates, and the local authority should have that as a distinct part of their duty. Of course our present Hospital is entirely for the sick poor who have the first claim. That is to say, so long as there is a patient who is unable to pay, we do not admit paying patients. The sick poor are first provided for. The Government gives us, it is true, £10,000 a year, but we spend £20,000, and we have to make up the difference. Some of it we derive from paying patients, but only a little, and very little indeed from what I may call first class patients.

12733. *Mr. Gurney.*] Are you aware that in the suburbs, at Wynberg at any rate, the support of the Hospital depends far more on the funds of the public than on the support from Government?—I believe that is so, but then your Hospital is not one which is principally kept for the sick poor.

12734. More than half of the patients at the Wynberg Hospital belong to the sick poor class?—Yes, but you see our Hospital is entirely for them. We don't, as I said before, take in a paying patient, so long as there is a poor sick patient to be provided for. In Wynberg, however, you don't entirely follow that rule.

12735. But your paying patients bring in something like £4,000 per annum, do they not?—Yes, but a large portion of that really comes in from the ships and not from Cape Town. We do get some revenue from the sailors, and the ships are held liable for all the sailors treated in our hospital.

12736. But, as a matter of fact, the sick poor are also provided for in our local Hospitals, are they not?—In Cape Town that is so, but I don't know what is done in the country.

12737. So that it is not so much the sick poor as those unemployed, unable to work, and indigent about whom you are speaking?—The Old Somerset Hospital makes provision but not nearly sufficient. But, as a matter of fact, the maintenance of the sick poor is a charge on the city in addition to the money that we get from the Government, and in addition also to what we get from paying patients. Still, after receiving the aid from those two sources, we are obliged to raise something like £3,000 in order to maintain the Hospital. And with that view we have to go about begging. I may mention that we get £250 from the Town Council, and the Sea Point Municipality did give us £50 which has, however, since been withdrawn.

12738. But you would not advocate that this Hospital should be started by taxation altogether and lose the interest and support of the public?—The Council apparently have no power to contribute at present from rates towards the support of the Hospital. If they make a contribution it must be from other sources than rates, and I consider that it ought to be the distinct duty of a public body to make more provision for the sick poor who are indigent.

12739. *Chairman.*] You urge the general question?—Yes.

12740. As a thing to bear in mind in case of reconstruction of local Municipal government?—Yes.

12741. It is not a thing of a few days, but it is a need which has been long felt, has it not?—Oh, yes.

12742. I have often seen it urged, specially with reference to the Metropolis, but also to other places throughout the whole Colony?—Oh, yes. In the country, the only place for these people is the gaol, and that is a very poor state of affairs, to say the least of it.

12743. *Dr. Gregory.*] Don't you base your opinion with regard to Cape Town, rather on the state of things which has existed since the war commenced?—Oh, no; we have always had it. Then, during the war I have known steamers coming to the Bay with a large number of muleteers, and these ships are very anxious to get rid of these people. The consequence is that they are left here, without a penny in their pockets, and the question is "What is to be done with these unfortunate people?"

12744. But the difficulty is only for a time, is it not, because there is work for everybody in South Africa in normal times?—Well, you see, a muleteer has got to compete with our Native, and that does not say very much for him.

Mr. George Smart. 17th June, 1902.

12745. That is only one class, is it not?—Well, there are sailor-men, who are constantly landing here, and what use can you make of them. You can use them on a building for scaffolding purposes and that is all.

12746. But granting that there is a certain amount of poverty—and really it is doubtful whether there is very much if you go about into the houses—do you think it is sufficient to justify the establishment of an entirely new principle to deal with it, namely, the raising of rates on the public?—I think there is quite sufficient to justify that.

12747. *Mr. Gurney.*] Is not the class of person you refer to different from the class who generally find their way into the local Hospital, that is to say, a class of person not ill enough to occupy a Hospital bed, but who are not able to work for a livelihood?—Oh, yes, they form a large proportion, but I don't wish to exclude the others.

12748. But they are the people who are not properly provided for?—Oh, yes, that is so. But, at the same time, I don't want to exclude the others, because I consider it is distinctly a liability of the whole community to provide for these people.

12749. But you will admit that it is desirable that the public should maintain their interest in the Hospitals?—Oh, yes.

12750. And that the Hospitals should not be taken out of the charitable lists altogether?—Oh, yes, I quite agree with you.

12751. You would have more help given from the rates, but you would have the rates provide also for these others who cannot work, although they do not really occupy Hospital beds?—Quite so.

12752. *Dr. Anderson.*] You feel that there is a necessity for something in the nature of a workhouse infirmary?—I don't like to say workhouse.

12753. Well, call it an infirmary?—Yes, like the Old Somerset Hospital Infirmary, as we call it, but which is altogether inadequate to meet all requirements. Its locality is bad, and it ought certainly to be removed from there to better surroundings. Besides, there must be a considerable increase in the accommodation of such a place.

12754. You feel that some machinery ought to be created for dealing properly with the poor, and also with the poor that are sick?—Yes.

12755. And do you think that the machinery to that end should be managed by a Municipality, or would you have a special Board for the purpose?—I think that is a matter which would work itself out, but the principle just now is that the Municipal Councils should have the power to rate for such purposes It is a duty which the whole community owes to these unfortunate people.

12756. Well, I suppose the first power would be by Act of Parliament with regard to the levying of these rates for the purpose?—Yes.

12757. And would you propose to set up a separate authority for that purpose, or ought it to be the duty of the Municipality?—Well, in the case of a Hospital a larger contribution would meet the case.

12758. I am not referring to a Hospital such as the New Somerset Hospital, because I regard that those would still go on?—Oh, you are dealing with the Infirmary only?

12759. Yes.—That would have to come under the local authority.

12760. You would not propose a separate Board?—No, the Municipality.

12761. Don't you think it would be necessary to make provision for a Board of Guardians?—No, those duties are performed through the Free Dispensary.

12762. But then it is done on a very limited scale, is it not?—Yes.

12763. And that is purely a voluntary matter?—Yes.

12764. And therefore it would be as well to have some machinery for dealing with these cases?—Quite so.

12765. *Chairman.*] Is there any other point you would like to represent to us, Mr. Smart?—I don't know whether there is anything more that I have not touched upon that really comes within the scope of your present enquiry.

12766. May I ask you one question about the water supply? Have you, as an old Town Councillor and resident here, made up your mind, as many others have done, that the future requirements of Cape Town, in regard to a water supply, will have to be met by going outside the Peninsula?—Oh, yes, I think so.

12767. You are clear upon that point?—Oh, yes. If I may be allowed, there are just one or two points more which I should like to touch upon in regard to this one question. I do think, that with an amalgamated or rather with a central or some bigger Board than we have got at present, the value from it in the future that one can see would be that it would be able to remove many evils that exist at the present time. I will instance one of those evils. Take the line of railway running through these small Municipalities who don't appear to have much power with the Railway

authorities or the Government in getting the Government to provide better crossings over the line and thus saving the lives of so many people killed from time to time. I look upon that as a public scandal—that the Railway Department should not have provided better crossings for the people. They have really only one bridge in one place of crossing and everybody has to walk over that from either side. The result is that the lives of the people are sacrificed, and it is felt that the Railway people ought to make better provision. As the population increases in the suburbs this will become increasingly necessary.

12768. That is one point which was brought to our notice very forcibly by the General Manager of Railways, as an instance affording a strong reason for amalgamation, so that there should be one authority to be dealt with?—Well, they could have done a great deal more than they have done, I think.

12769. *Dr. Gregory.*] Are you aware that it will cost over £1,000,000, if the Government were to make bridges and subways, owing to the difficulty of acquiring approaches?—I know that the Wynberg Railway pays as well as any railway in the country. I have not the figures before me to guide me, but I know that it pays very well from the enormous traffic that passes over the line, and I consider that the public travelling over the line are very badly served, and that the residents living in the suburbs are very badly dealt with, inasmuch as they are not given sufficient crossings, either under or over the line. Where these things can be done they are not attended to. Even in Cape Town we find that the railway goes right through the foreshore, and there is no access to the foreshore. The Cape Town Council seem to be unable to do anything in the matter.

12770. May I ask you one other question, which it is only fair to the Railway Department should be put, and that is this: is not one of the difficulties that the Railway Department have to contend with that they have not the power to keep unauthorised persons off the line? The owners of property adjoining the line have a right of way along the line. The Department tried to limit the right of way along the line to the persons actually having this legal right and issued tickets to these people, but it was ruled that the Railway Department had not the power to do this and the result is that you will see people daily walking all along the railway line, even from Woodstock to Cape Town, the Department having no power to turn them off, and a very large number of the persons run over are persons using portions of the railway line which were never intended for their use?—I think a large number of these accidents, in fact the greatest number by far, have really happened at the crossings, and not to the people walking along the line. But, at the same time, the question is whether it is necessary for the people to have access along the line, and I hold that it is necessary. I think it is quite easy for them to have the right of way outside the railway line, and I think it is right that there should be such a right of way, so as to give the people access to their properties. It is a matter that could easily be managed, but the Government will not do it. A footway should be afforded to the people, so as to enable them to get to their houses, and I think that it is only an excuse on the part of the Government to say that people are killed because they will walk along the line. If it were a Company running the railway instead of the Government, you would have heard about it long ago. The Government will not spend money on the suburban line.

12771. Don't you think there ought to be an independent enquiry in the case of railway accidents?—Certainly, there ought to be.

12772. *Mr. Stewart.*] According to the newspaper accounts, some of the people killed were alleged to be the worse for liquor and had no business to be there?—Well, of course, it is a difficult matter to prove, but it may be that there have been some. Still, you can see the difficulties for these people to cross the line, owing to the want of proper provision in the way of bridges and crossings, which is nothing short of a public scandal.

12773. *Chairman.*] The question is how far one general authority might help in remedying matters of this kind?—There certainly would be one advantage, inasmuch as the bigger power would be in a position to bring more pressure to bear upon the Government.

12774. *Mr. Stewart.*] Do you of your own knowledge know whether footpaths have been allowed alongside the railway for the use of the people living near by; I mean, do you know of any case in Great Britain?—No, I cannot say that I know of any.

12775. As a matter of fact, there are instances where that is done?—Yes, I think so.

12776. And in your opinion, had this railway been in the hands of a Company, instead of in the hands of the Government, means would have been found before this to remedy the present state of affairs?—Yes, long ago.

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12776*(a)*. *Dr. Anderson.*] Is it not your opinion that after every accident an enquiry should be held into its cause by an official independently of the Railway Department?—Yes, I am strongly of that opinion.

WEDNESDAY, 18TH JUNE, 1902.

Present:

Sir W. Bisset Berry (Chairman).

Dr. A. J. Gregory.	Mr. T. Stewart.
Mr. W. E. Gurney.	Mr. J. E. R. de Villiers.
Dr. A. J. Anderson.	

The Honourable William Philip Schreiner, K.C., examined.

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12777. *Chairman.*] You are an Advocate of the Supreme Court, and at one time you were Colonial Secretary and Prime Minister of this country, and in that capacity have had large experience and knowledge of Municipal affairs both in the Peninsula and in the Colony generally?—As Colonial Secretary one acquires a knowledge of the system of local government.

12778. You are pretty well acquainted with the scope of this Commission?—I have followed the public communications in regard to it.

12779. I do not think that it would be advisable to take you into the intricate questions of water supply, drainage, sewerage or lighting of the Peninsula. They are more or less technical points which we could hardly look to you for evidence upon, but, generally, from the point of view of your knowledge of the working of the smaller Municipalities in this Peninsula, have you any information to give to the Commission?—That is rather a general question to which to reply. I have never been a Municipal Councillor myself and the inner working of the Councils is only known to me more by professional experience in connection with advising them, as I have from time to time, on points in which they were concerned. Of course, I have my own knowledge of the way in which local government works, but that does not really put me in touch with the Municipal bodies. I have, however, been a resident for a good many years in the neighbourhood and have kept my eyes open.

12780. Now, as a resident in one of these Municipalities, is it your opinion that you yourself and your neighbours are supplied with Municipal services, to the extent that you could really reasonably expect to be supplied?—I do not wish to be understood as complaining against the Claremont Municipality, in which I am a resident, but it does seem to me that the different small Municipalities in the suburbs must in some way or another not economically spend the money which is from time to time in their hands. The rates are rather heavy, and, as an outsider, not looking into the accounts, it is difficult to realise exactly what one obtains for the rates one pays. A ratepayer must pay a considerable sum by way of rates and special payments, and yet one does not see that the big things are being advanced in proportion to the high rates that one has to pay. I know the difficulties of the situation are great; for instance, in particular with regard to water and drainage. There is no general system of drainage where I live, one makes his own system of drainage. He has to do it himself, independent of the rates. There is a system of stercus removal which is part of what you get for your money, and there is a certain amount of lighting. There is also a kitchen slop-water removal, but that is, generally speaking, so inconvenient and unpleasant that you prefer, if possible, to avoid it rather than to use it. I am not blaming the Municipality with negligence, but I think that some central authority is wanted to take up a scheme which would meet the requirements of all these neighbourhoods which are so locally situated that they can be dealt with as a block, and then I think, even if higher rates become necessary, it would be such an improvement on the existing system that it would be very desirable. I do not say that the money is not expended to the advantage of all. On the other hand one has to look at this: that all these Municipalities are putting in a lot of money into extending the roads, and that means enhanced rateable value, and also an opportunity for the increase of the population, which must be provided in a growing locality, so that we, in some parts, are to a certain extent paying for the development of the outlying localities, and that is I think one reason for the high rates. The Councils are adopting a development policy, and I think they are

doing it fairly well, as far as I can see. They are developing our roads, every one of which means increased cost but provides access to the railway and to the centres of population, which can only be done by the Municipalities taking the development of roads in hand.

12781. That would imply that some of the primary services for which Municipalities exist are being neglected to some extent, for instance, a good water supply is not being provided?—They are doing all they can in the matter of water through the Suburban Waterworks Board, but I doubt whether that is a very satisfactory or a complete system for the supply in the future, and, perhaps, in the near future. As regards drainage and sewerage they are making individual efforts, here and there, but some of the Municipalities, such as Mowbray, are confessedly sitting prostrate before a problem which they cannot face. They are practically appealing for mercy against a judicial order interdicting an existing and proved nuisance. They are absolutely doing nothing to help themselves. They have done nothing for months in the direction of obeying a peremptory order of Court to abate a nuisance in their Municipality. They may have done something very recently, I would not speak definitely as to that, but until recently I can state that they had done nothing to abate a nuisance at a station of the importance of Observatory Road. That is an illustration of the way in which these individual Municipalities—without charging them with positive neglect—by their smallness, are compelled to sit face to face with a problem too big for them to cover. One sympathises with the Municipal Councillors. I do not wish, in fact I do not think that one ought, to take up an attitude hostile to gentlemen who are willing to give up a great deal of their time to the interests of the neighbourhood in which they live. I, myself, and many of my friends, do not do anything in that direction, and we have no right to be censorious with those gentlemen who are willing to give up their time to the public. The circumstances, however, are such that they cannot cope with, so that some other way must be devised of dealing with these primary necessities of the neighbourhood, such as sewerage, drainage, lighting and water supply. These ought to be dealt with in a comprehensive way by a body properly constituted with the fullest representative features and the fullest authority to act for the benefit of all. But when you put the question as to how far locally, and to what extent this body should act, I am not prepared to say. For instance, take a Municipality like Wynberg, a great portion of which could not possibly fall conveniently into a drainage scheme with the rest of the Municipalities which lie nearer Cape Town, I would not like to say offhand that it must necessarily be for all purposes blotted out as a Municipality and included in such a central organisation as I have indicated. I am not prepared to go to that extent. You must measure a new scheme to the actual requirements of the people to be affected by it or it will not be a success.

12782. But that is more particularly in regard to drainage you are speaking?—But not entirely. For instance, take water. To my knowledge in 1887 or 1888, I believe it was 1887, Wynberg obtained the passing of an Act of Parliament which during its various stages was hotly debated in this room and in another room in the building. They were taking time by the forelock. The old Liesbeek Water Company fell to the ground because it had no rating powers, and the old Liesbeek Municipality—which never should have been dissolved—had also just been on the verge of getting its necessary powers to obtain a supply on Table Mountain. It was then dissolved and the different small Municipalities now existing in the Peninsula were constituted. Wynberg, seeing its opportunity, came in and sought to take certain rights to the water on the top of Table Mountain. Cape Town, seeing what Wynberg was aiming at, became very active then, and wisely so, and it also introduced a measure in the same session and there was a compromise between Cape Town and Wynberg, the two Municipalities at opposite extremes of the Peninsula. By this compromise Cape Town took one portion of the top of the mountain for its area and Wynberg received another portion. Wynberg went to great expense to obtain a fair supply of water, and if you are considering the advisability of bringing that into the hotch-pot of supplies for the whole of the Peninsula you must consider the position of Wynberg as preferential in that regard. Wynberg is fairly well served with its own scheme of water.

12783. You say that the Liesbeek Municipality should not have been broken up?—I do. I have always maintained that it was a retrograde step. The organisation had been formed and, if it did not work well with the ward system, yet it was a retrograde step to jump back to a number of small Municipalities by mere Proclamation.

12784. That would imply that Wynberg was well served by the breaking up of the Liesbeek Municipality?—In my opinion it certainly was. We were on the point of passing a measure to obtain additional benefits for the Liesbeek Municipality when the Proclamation was issued. We were still working with the Bill, but Mr. Speaker's ruling was

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that the Bill must then drop, and it dropped accordingly. It was a retrograde step to issue this Proclamation, and we must trace a great deal of the present difficulty to it. These smaller Municipalities have, in their respective ways, endeavoured to do what they could, but, naturally, they are not in a position to deal with comprehensive systems of water supply or drainage or sewerage. Efforts have been made to combine them together but, so far, they have not proved very successful. The nearest approach to success in that direction has been the combination which led to the obtaining of the Suburban Water Works for the four Municipalities concerned. You can come to large problems much nearer than Wynberg. There is Woodstock, adjoining Cape Town, which has its own particular rights and its own particular constitution. The way I look at it is that all the Municipalities should be willing—not to forego their existence: I am not prepared to say that I think that any one of the Municipalities should be absolutely blotted out, not at all; I think there is abundant opportunity for ordinary Municipal work to be well carried out, and by the existing Municipal Corporations. But there should be a supreme Corporation fully representative in its character and endowed with the necessary powers to deal with the primary needs of the neighbourhood, and it is for this Commission to determine just how far to go with that. If you devise a scheme that will be largely unpopular with the great body of the people you cannot hope that it will work well. Unless it works well with the people it cannot be a success.

12785. There are schemes which even an angel from Heaven could not make acceptable?—Just so, but I do not think there should be, and I do not think there would be, any serious objections to a well devised scheme which would take in hand these great objects, which the individual Municipalities have been proved to be unable to deal with, by placing them in the hands of a central authority.

12786. We are face to face with this difficulty: A Cape Town witness told us most emphatically that within a measurable distance of the present moment a supply of water will be required for the Municipality of Cape Town of 10,000,000 gallons per day. That means that a very large scheme will have to be gone into for Cape Town itself. Now, it seems an impossibility to meet the vast Cape Town Corporation in that respect by placing a Board over it that is to take the construction of the necessary works out of its hands. Further, we must leave a scheme of that kind, must we not, in the hands of the Corporation itself, and we would be well advised in doing so, would we not, seeing that up to the present time they have done their work with creditable zeal and success?—Does that involve that the Cape Town Municipality would continue to exist as a separate organisation with the additional object of supplying water at stipulated charges, not more for the people living outside its limits than for the people living within them? Because if so, I do not see that there is any fundamental objection. I am strongly persuaded that you cannot carry through a scheme of that sort which the Metropolitan Corporation strongly objects to, and also that you cannot carry through a scheme which the suburban Municipalities strongly object to. But I do not see that they should object if the Cape Town scheme included the making of provision for their needs, provided that their inhabitants had only to pay on the same scale as Cape Town for their water, plus, of course, whatever was necessary for the more distant distribution of the water. What we want is a good thing, and if you can get it through the Cape Town Municipality, with the suburban interests properly protected, I think that every suburban Municipality is sufficiently attached to Cape Town to take no umbrage and feel no grievance. When I say a central authority, I do not feel that it means wiping out the Corporation of Cape Town, but you still want some organisation for the suburbs to protect suburban people in proper observation of statutory obligations cast upon Cape Town should they undertake this service.

12787. What would that central authority be?—I do not like hurriedly to give any solution of such a problem, but it should be, I think, a central authority constituted by representatives from the different Municipalities with, perhaps, appointee members in addition. My own idea is that it would be a stronger organisation if it had within it, as Harbour Boards have, appointee representatives from the central government. That is, provided that the appointee representatives were never numerous enough to shape a policy in cases where the Municipalities were united in opposition to them. I believe in local self-government, but it would be nugatory if you gave members appointed by the Government undue power. The Metropolitan Board of Works in London did not work very well, but the London County Council works much better.

12788. We have evidence on behalf of the Cape Town Corporation that they will resent in the keenest degree any interference with their functions or powers. They consider that they are perfectly competent to do all the work that is required of a Municipal body. They are prepared to be associated and give proportionate municipal rights to the other Municipalities in this neighbourhood for the purpose

of municipal government and generally for equipping the whole municipal area in a proper and legitimate way?—Yes, but you will notice that the Cape Town Corporation would really mainly have to work with the suburbs only on two of the primary objects of which I have spoken, that is to say in the obtaining of a water supply and perhaps in the matter of public lighting. They need not necessarily be connected on the lighting question but when you come to the question of a sewerage system or a drainage system for the suburbs I cannot conceive that the busy Councillors of the Corporation of Cape Town would be able to take very much practical interest in working through a drainage system for that large area outside Cape Town itself, seeing that it would be a wholly different scheme, or at any rate nearly entirely unconnected with the system now working in Cape Town. How are you going to work out sewerage and drainage for the suburbs *via* the Cape Town Corporation? Cape Town has dealt with this problem certainly with very great zeal, particularly in later years, but I do not see that by reason of that the suburban system would be likely to be more successful by the district being included in the Cape Town Municipality. I do not see that Cape Town's scheme involves any information or facilities in relation to suburban sewerage and drainage that you want somebody from the Cape Town Corporation to deal with it.

12789. *Dr. Gregory.*] The suburban sewage would probably have to be carried over the Cape Town area to an outfall? — That is simply a question of passage, and it is not a matter in which I can conceive that the suburbs could feel that they were likely to be quite satisfactorily dealt with by representatives of the Cape Town population elected simply in Cape Town.

12790. *Mr. Gurney.*] You mean not working without representatives from the suburban Municipalities?—Quite so. I do not put it that the new central authority should necessarily be regarded as supreme over the great Cape Town Corporation, but if the Cape Town Corporation had its own representatives upon such a constituted body to deal with these matters which specially affected the suburbs but which also, to a certain extent, affected Cape Town, I do not see that the dignity or the position of the Cape Town Corporation would be affected.

12791. *Chairman.*] But is there not a tendency at the present time, when such difficulties have occurred as we are meeting with here, to combine smaller Municipalities for the purpose of getting larger powers perhaps, more able men, greater borrowing powers, a better staff of experts and so on?—I admit that there is such a tendency and I do not say that it is a bad tendency, but, I say, "Don't hurry." That may come in the future. You have at present a large number of small Municipalities, each one instinct with life and virility of its own. Let me refer you to Woodstock; let me refer you to Sea Point. Each has its own schemes, in some respects completed and in others in the air but coming nearer. They are not likely to take, with anything like equanimity, the prospect of effacement, whereas they might take with perfect equanimity, the detachment of some of their functions to a central body on which they are represented. I do not hesitate to say that if you are going to blot out Woodstock, and absorb it into Cape Town on one hand, or absorb it into a large suburban Municipality on the other hand, that it is a question of very great gravity.

12792. But need it be a case of absorption? Would there be no possible way of incorporation, with a proper system of representation on a general council, that would meet the view of the local residents?—In other words regarding the whole of the Peninsula as a kind of county with its County Council?

12793. Yes.—There, I am afraid, you will find that the Cape Town Corporation and the Cape Town people would scarcely like a constitution to be established which, if fair representation were given to all the other Municipalities, might lead to the predominancy upon that larger Council of members, who were not Cape Town members, to vote and determine upon Cape Town matters.

12794. So far as we have had evidence from Cape Town they are prepared to face that difficulty rather than to be encumbered with any Board put over them separately? —Whether you call it a Board or a County Council, it would mean that there would be the Council substituted for the present Corporation of Cape Town, or, in the alternative, that the present Corporation of Cape Town would maintain its independence and autonomy, and then the Municipal bodies around about would feel that they were being placed in a position of subordination to Cape Town.

12795. *Dr. Gregory.*] Is not the reply to that to reconstruct the Municipalities altogether, so that neither can have a grievance?—Theoretically that is probably so; but you have to take the facts as they stand when you begin tampering with systems. I do not see clearly, myself, how such reconstruction could be immediately, or speedily, applied to the whole Peninsula. I do not see it. The Chairman very strong representation of the views of the Cape Town people stands entirely in opposition to that suggestion, and, if you take it that Cape Town

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would oppose it, you must take it that Woodstock would oppose it, very probably Wynberg would oppose it, and perhaps Sea Point might also opppose it. If you look at it from a broader point of view you can see that it would not go through.

12796. *Chairman.*] A witness from Cape Town said that they would not oppose amalgamation of their interests with the interests of the suburbs, but what they would oppose would be the placing into the hands of a superior board the ordinary municipal enterprise of the town whether the board was elected by the ratepayers or whether it was a board of nominees. They are prepared to accept the other Municipalities with them on equal terms. That is to say, to accept them and have a larger Town Council with representatives from all parts of the Peninsula. They are prepared to go into that, even with the risk of being dominated by a majority from outside; and they do so because they consider that an enlarged Municipality is perfectly able, without the intervention of any other foreign body, to deal with every problem that can possibly arise and they suggest this as a proper solution of the whole question?—You mean,—extend the boundaries of the Municipality to the boundaries of Wynberg?

12797. From Wynberg to Camps Bay.—You mean the Cape Town Municipality?

12798. Not necessarily the Cape Town Municipality.—*Mutato nomine, de te abula narratur.* The present Municipal Corporation of Cape Town would be fused into a large organisation and would no doubt be the predominant partner, but, still would be only one of the partners represented, and you would then have the representation of Wynberg dealing with the questions of Cape Town such as water, drainage and sewerage, and the representatives of Cape Town dealing with suburban questions.

12799. And they say that such is not unnecessary because there are so many people who have double interests—interests in Cape Town and Wynberg—having their businesses in Cape Town and their residences in Wynberg?—That wants very careful working out, as regards the maintenance of other local bodies, call them what you will, whether Ward Committees or what you choose. You must have a great many things actually dealt with and not merely reported on, to be approved or not to be approved by this great central authority. They will have to be actually dealt with locally, because if that great body has to deal with vast numbers of small day to day concerns from Wynberg to Cape Town, it will break down from the mass of work to be undertaken. There must be auxiliary bodies. I do not care a bit about words, it is the thing that I am driving at, and the thing is: you would still have to maintain the local institutions for certain purposes, and you would consolidate in the Municipality the dealing with large comprehensive primary problems. That would be a solution, and if by giving it any particular name or phrase you could secure for it the goodwill of the people, I say certainly do so. I mean that if Cape Town would like it better if it was called the Peninsula Municipality, springing from Cape Town, as it were, as the head, I would have no objection, provided always that there should be fair representation of all the interests that are concerned, and that there is local detailed power in the different localities to deal with the local detailed needs, which could not be dealt with by one big body.

12800. The advantage of the bigger body would be that you would get on the Council men with business capacity to guide and direct the members of the local committees, who, in their turn, would report to the general meetings of the Council as to what they had done in carrying on such local work that might be necessary. In that way it seems to some of us that we could infuse a stronger life into the local government of the whole of the areas, which, as everyone seems to say, is very much needed?—But if we once come to the thing that is desirable, is it not then prudent, and tactful, to respect as much as possible the individuality of the smaller Municipalities, as you respect the individuality of the Cape Town Municipality? Cape Town itself would have thousands of needs which it would be quite unwise to overburden a central Peninsula Municipality with, considering Wynberg would have its hundreds of needs, and the intermediate Municipalities, Woodstock, Mowbray, Rondebosch, and Claremont, would have theirs in proportion. Why then should not the local authorities that are in being and have been working now for 20 years—since the Act of 1882—in the suburbs, continue to exist and carry out these functions which would not properly fall within the central control?

12801. You come back to the fact that they have not done the needful and that there does not appear a possibility of their being able to do it until we get some stronger backing to help them in their enterprise?—I am not suggesting that these local bodies should deal with the central and primary things, such as water, sewerage, drainage and lighting, and it may be something else. I am suggesting that the central body should deal with those, but that the local bodies should deal with the many other things that still remain, for instance, the making of streets and roads and the kerbing and guttering of them, also the repair and upkeep of old streets and roads.

12802. *Dr. Gregory.*] Should not the primary control be in the main authority, but the carrying out to be deputed to the local vestries or committees?—Then you come to the question of finance upon which that fringes. How are you going to apportion the sums of money which will be contributed by all the district into one common treasury? You have hundreds of streets and roads in Cape Town and in the suburbs that are waiting making up or improvement. If you put it all into the hands of the central authority whichever interests happen to predominate numerically on the Council, without attributing corruption in the least, or any wrong motive, the predominating vote will incline to its own locality in the apportionment of the means for this work. That is where the suburban Municipalities would feel, if they were in a minority, that their special and local interests were not likely to be well consulted, and that is where Cape Town would feel, if the suburban representatives were in a majority on the larger Council that they were going to have no sufficient attention paid to the making and improvement of Cape Town streets. The principle is to let the locality manage its own local concerns with money drawn from the persons interested in those local concerns, and not to look too narrowly at the whole question.

12803. *Mr. Gurney.*] Does not that resolve itself into a question of rating?—It is a question of rating and the power of apportionment of the rates, and when you get a good scheme of apportionment you will have solved a great difficulty. Answering Dr. Gregory as to whether the central authority should not have the apportionment I must differ.

12804. Then with certain safeguards as to the apportionment of the rates you are not opposed to the scheme?—If these safeguards are there, and if the apportionment is made a matter of proper statutory determination, so that people living in Wynberg shall know that their money is spent in Wynberg; that is to say, that the Wynberg road rates shall be spent upon the Wynberg roads, I agree. But we come again to the same idea of a central authority to control matters of common concern with no part in the more local matters.

12805. *Chairman.*] How are you to get that central authority? We say that the ratepayers, as such, in the whole area should elect them directly?—By wards?

12806. Yes, by wards. Do you see any objection to that? The only alternative to that is that our central authority would be indirectly elected or be appointees. The idea of direct election would be more likely to carry out the primary idea of local self-government?—That is so. When I suggested that there should be representatives from the Councils themselves, I had in view a close attachment between the various small Councils and the central authority, but, really, I would prefer a more democratic system of representatives being elected to the central authority by the people themselves. I have no doubt that they might, and generally would, elect, as their members on the central authority, some of their prominent representatives on their own local Council. It is important, if you would still maintain the existing Councils, that you would not want them to be entirely dissociated from the local representatives on the central Council. It might be desirable to secure this association that you should have a nominee or nominees from each Council to the central Council, plus the elected persons whom the different wards or small Municipalities, as the case may be, would send. I would carefully guard against having too many members on the central Council. It must not be too large a Council as it would be unwieldy and unworkable. I do not like simply to trust to the chance of the local suburban Wards or Municipalities always selecting the same persons for the one authority as for the other. I think that they would undoubtedly often do it, but I would prefer that the Councillors themselves should appoint representatives to maintain the touch between the two authorities. I do not like to say that the democratic system which you suggest would not work well, but it might not. You might come to a clash in which the persons representing certain areas in the Peninsula on the larger Council would take up a position absolutely in antagonism to the Local Council, and I would prefer, if possible, to safeguard against that.

12807. Would there be any objection to those members elected to the general body by the ratepayers being regarded as the Local Committee for the ward by which they were elected?—It would sweep away the existing Municipalities altogether.

12808. To a certain extent; but you would retain your local features and you would maintain a machinery for carrying out the local needs?—Only in the persons of the members elected to the central body.

12809. But why have two elections?—Because I believe to some extent in small units. I may be heterodox in my belief in the smaller unit, but I am inclined to go so far as to say that for local purposes the smaller the unit the better, almost.

12810. Would not that representation give to the local unit a sufficient stability or a sufficient recognition?—Not sufficient under this large scheme, the local representatives on the Central Municipal Council of, let us say, Wynberg, would only be a

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small committee of that Council. There would be no Mayor of Wynberg just the same as there would be no Mayor of Rondebosch, or Mowbray, or Claremont. All these hard workers in the Municipal field would practically disappear. They would fill quite a subordinate position on the Central Peninsula Municipality. But under the scheme which I suggest you would not efface that proper local dignity which has its uses in municipal life.

12811. Let us take the matter as it now stands. There is nothing to hinder the present Mayor of Cape Town from becoming Mayor of Rondebosch?—No, but under the scheme which I suggest there would be no Mayor of Rondebosch.

12812. That is so, but the Mayor of the whole Peninsula Municipality might hail from Rondebosch?—Is there that solidarity of interests, apart from the four great primary objects which I have named, which would make the suburban people ready and willing to efface their local institutions altogether?

12813. It is held by many of the witnesses that there is that solidarity and community of interests in the Peninsula?—It may be that I have not read all the evidence, but I think that witnesses from the country Municipalities would readily be found, if they have not been called, to take quite an opposite view.

12814. The evidence is undoubtedly conflicting, but it points both ways, and the difficulty is to balance the evidence. I would draw attention to the case of Glasgow. Ten years ago, as you know, it was an enormous Municipality with a population of between 500,000 and 600,000, but about the year 1888 a Commission was appointed to consider the advisability of amalgamating with it six or eight other Municipalities further dowh the Clyde, containing a total population of something like 180,000. These were fairly well equipped Municipalities, and I believe that their representatives objected very much to the suggestion. As a result of the Commission they were all amalgamated to the common benefit; and they are now realising that it was for the best. They lost their local provosts and baillies, but they have got over that, and feel now rather proud that they are a part of the great Municipality of Glasgow. Might we not look forward to a similar result here?—I cannot speak from experience of any place but this, but I know this place fairly well and feel that the local special needs, varying as they do very widely in the peculiar broken area that is to be dealt with here, would not be likely to be best looked after simply by a central authority amongst whose members would be committees from the different localities. A good deal would depend on the strength of each committee, and you could not make your central body very big or it would become unwieldy. I have not heard any suggestions as to the actual number of members that should compose the Peninsula Municipality.

12815. We have heard it suggested in evidence by perhaps the most experienced Councillor in this neighbourhood, that he is quite prepared to see a Council of 50 members. He thought that that was the lowest number of which it should consist. If that was so would not that give scope for considerable representation for a place like Wynberg? There would be no reason that the representation should not be even larger than that?—I only mention Wynberg because it is perhaps a salient case—a case at the extreme—in which the varying interests are perhaps more marked than in any other. I can only say that my proclivity is towards two things: do not be too hasty to make great changes, *festina lente*; and secondly, do not put forward a scheme which will abolish, or impair, the value of local effort in things purely local. These are the principles which I would apply. I do not say, if the local importance and very natural civic pride of these smaller Municipalities, and their leading men, was to be voluntarily set aside for the common benefit, it would not be a good thing. But if such a scheme as you suggest in which the purely local concerns would be dealt with by committees of the large body, not having themselves a separate corporate existence, they must certainly, at the very least, have absolute power and control of their own areas with certain properly apportioned funds, the apportionment of which should not be matter for simple vote of the Council.

12816. But with such a safeguard and with such provisions, do you not think that the thing might be made to work?—Yes, with tactful propagandism in addition.

12817. Are you aware that in the larger Municipalities in Europe and the United States, even when amalgamation has not taken place, and particularly when it has taken place, the principle of differential rating has to be carefully considered?—Precisely. On the financial side you will certainly find, if you develope a scheme, that you will require to have varying rates. It would be impossible to make a rate the same all over the area. When you come to the principle of a varying rate and work it thoroughly out, you may have far less opposition from such a Municipality as, say, Wynberg, because it might come, and probably would come, to be lightly rated having regard to the value of its contribution to the general stock of assets. Also with regard to Woodstock which has certain rather valuable rights over against the Surburban Water Works Board.

12818. We again have an experienced witness from Cape Town in favour of an amalgamation of the kind suggested, and also, at once, admitting that the system of differential rating would be absolutely unavoidable?—But look forward to the assessment of a rate for, let us say, the year 1906, for the locality at present called Claremont, or Rondebosch, for local purposes. The assessment of that locality when you had once destroyed the Municipality as you intend, would be rather a difficult matter.

12819. How?—Because it would practically be solely a committee of the new large body—the Claremont, or the Rondebosch, Committee as the case may be. That committee would advise that there should be such and such a local rate, solely for local purposes. How would the large council determine that question?

12820. Each committee would bring up an estimate of its local requirements and of the funds necessary to be voted to meet them?—You mean by the Council? But what guarantee would you have that the Council would not overrule the desire of the local Committee? If you made statutory provision that the local Committee should be absolutely in control of its area in those respects, then you would really be making this local Committee very nearly in the same position that I have been contending for, that is, you really would maintain the Municipality. I am, however, quite prepared to admit that you would gain this: that you would sweep away a good deal of unnecessary expense in connection with multiplicity of officers and plants, and would get uniformity of action. But, at every point, you must safeguard the local interests to be provided for by the locality concerned, and that the ratepayer is not to be compelled to pay a rate which is not voted by his own local representatives. He must not be taxed without the vote of his own representatives.

12821. *Dr. Gregory.*] What do you consider purely local concerns?—I regard as local concerns, existing roads, their upkeep and improvement, and the making of new roads, and the development of outside areas—most important things—should be left to be dealt with locally.

12822. Still, with regard to roads, you must surely admit that they are not purely local matters, but that all the Peninsula is to a certain extent interested in them?—The upkeep, kerbing, guttering, and local drainage of these roads are things which, certainly, you cannot expect the central body to control right through the area in any proper way. You must have some body that is able to deal with them locally, and say what shall be and what shall not be done. That must be a representative local body, whether you call it by the name of the present Municipality, or whether you call it by the name of the Local Committee of the Central Peninsula Municipality.

12823. But the main body should have the power of veto over the action of these smaller committees, should it not?—Not by a bare vote, if the expenditure proposed to be made is expenditure provided for by the local rate.

12824. It might be that the little bodies might say, "We will allow 30 feet roads in our area," and the main body would desire to have at least 40 feet roads, should the main body not have the power to overrule the little body?—That is quite a different problem, whether you should leave the Local Committee to determine the width of roads. I have no objection to that being left to the decision of the Central Council. These roads are to be the channels and avenues of intercommunication throughout the district, but the actual working upon the roads should be left to the local Councils. Take the question too, of lighting. I put that in as one of the four great primary objects, but surely the distribution of lights in localities is a thing that the locality itself is extremely interested in, and the people who have the control of the locality should be responsible for it, and should be able to say whether Mrs. So-and-So ought, or ought not, to have a light at her gate. How is the central body to determine a matter like that?

12825. But should the central body have the right to say that certain lights were not powerful enough or have the right of placing a veto on the local bodies demanding more lights than the central body considered were actually required?—That would be impossible. But if you give them a certain sum which they have to spend judiciously, the members of this committee must do pretty much what the Municipal Council now does. They could not demand more light if there were not more light to get. It does not affect the principle that there are local needs and requirements which should be dealt with by local men at local expense.

12826. But on the other hand, have not these local things a general bearing in a greater or lesser degree?—Certainly they have no doubt a general bearing, but that does not necessarily admit that though they may have a general bearing they are not primarily and conspicuously locally and can be so dealt with.

12827. But does it not argue that the main authority should have some degree of control over them, through if you like, the local committee, but still it must have some say?—That argument is just as sound as if you were to put before yourself the problem of sweeping away the Corporation of Cape Town and taking its government into the Colonial Office. Theoretically that argument is perfectly sound

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because the Central Government has an enormous interest in the Metropolis, but, as a matter of fact, what do you do? You mark off a certain locality and appoint a certain body and give it powers to exercise, apart from Government control. It is found that these constant delegations of local power to small units have worked well, and the contrary would simply bring an immense amount of work into comparatively few hands. I take it that it is your intention to put a scheme before the Legislative Authority with a view to its becoming the law of the land. It is in that scheme that the constitutional safeguards of the various localities should be incorporated. They should not be left to be protected by the catch vote of the bigger body itself.

12828. Take another local interest; the actual searching for nuisances and matters that are a danger to health, that should be allocated, before all, to the local committee, but might not the matter of the public health of the various areas be generally controlled by the central main authority?—Decidedly. I think for instance that what we may call a model system of regulations for health purposes should be determined on and be put into force throughout the entire area.

12829. But there are certain health functions that must be attended to by the central main authority, such as the provision of infectious diseases hospitals?—Yes, but the removal of offensive drainage matter should be under local control. It should be impossible for a local committee or a local Council to be able to pursue a policy of masterly inactivity, or little determination to do what is required, or to flout the central authority, on such matters. I am not suggesting, for a moment, to give them power in that direction because all legislation on public health is based on the fundamental, true, principle that you cannot say that your neighbour is not concerned in the healthy condition of your premises, or your own health. We are obliged to recognise that we are all one in that respect.

12830. Take the matter of the removal of household refuse: the central body should have some power to see that the local units do their work properly, although the actual work should be looked after by the local units?—I suppose that the removal of refuse would be covered by the local rate, and, if anybody complains that the duty is not satisfactorily performed his complaint would naturally be addressed to the ward committee or the local unit. I am not forgetting, also, that there should be local officials whose duty would be to see as to the satisfactory carrying out of the work, but I do not think that the central authority would have any ground to interfere if the complaints were remedied. I would, however, add that I would have no objection to an appeal against the decision, in an administrative matter, of one of these committees, any more than that there should be appeal to the central authority in an administrative matter if the Municipalities were maintained, if they were not doing their duty. This question arose during the discussion of the Home Rule Bill in England and also during the discussion upon the establishment of county government, as to whether there should be a possibility of getting an injunction to compel these authorities, which it was intended to create, to do their duty properly if they did not do it. Under the scheme proposed, I am for having the central authority charged with the power to order the thing to be done which the local units are not doing properly. If they have been entrusted with a function and they are not discharging it, someone should step in and compel them to discharge it. There should be a means of appeal against either the wrongful exercise or the non-exercise, by these units, of their functions.

12831. Part of that local function of the collection of refuse before it is finished becomes a general function; the local committee makes the collection, but the ultimate disposal of the refuse, to do it economically and properly, would probably have to rest in the hands of the main body, would it not? Take Sea Point for instance; at present they collect their own refuse, but they have nowhere to put it, and they dump it on the beach and create a nuisance?—I have not suggested that every little local body should continue to have its own little dumping ground for its own refuse.

12832. Therefore, I am arguing that every little local community is intimately connected with the general community?—On that we are quite at one. It is all a question of degree. There are things which are important but local in their importance, and they should be dealt with by the local authority, by small units. The other argument would involve that if Cape Town had to be the new capital of a federated South Africa every little thing done anywhere in the country should be done in Cape Town. You need only state a wide proposition of that kind to see its absurdity, because undoubtedly every local concern would affect the capital.

12833. But if the local communities have a voice in the main concern, the main concern should have a voice in the local community?—And that voice should be determined by the fundamental Act, and should not be left to the whim of the majority at the time, but should be determined on a proper basis, in a proper manner by whatever is the legislative authority of the land. This protection

must be there. If it is not there you will get a great deal of what you want to exclude as much as possible, that is, the scratch-back policy, or boodlerism, or whatever you may like to call it.

12834. *Mr. Gurney.*] In connection with the non-performance of duty by the local unit of which we have been speaking, would not that mean something more than neglect in some cases? For instance, would you not go so far as to include such a case as the local unit coming to the main authority at the commencement of the year and saying that a certain rate must be assessed for work to be done locally, which rate is quite inadequate for the local interests? In other words, might not any local unit striving after too much local economy, neglect its area, and in that case should not the Council have the right to say that a higher rate must be levied and that the local unit must spend more?—It all depends upon what you are going to mark off as the local needs. If you mark off such things as those in which the locality itself is only practically concerned, why should the central authority interfere with the view of the representatives of the local area? I do not say that the representatives of the people should have a final voice as to the whole of the rate to be levied, but as to that part which only affects the local element I would be chary of interference.

12835. But supposing that the local representatives, wishing to economise as much as possible in their district, should leave their district quite behind the neighbouring districts, should not the central board be able to step in and say, "You are falling behind the rest of the district: you must spend more money on your neighbourhood and raise more money in rates"?—I will admit that, with the modification that it must be laid down clearly in the Statute that this interference should not take place upon, at any rate, a vote of less than three-quarters of the whole of the central body. Three-quarters of that body should be persuaded that the local rate suggested by the local unit was not a satisfactory one. I would not have a bare majority, because you would then get all that pull and tug, which it is most advisable to avoid.

12836. (*Dr. Gregory.*) Do you mean three-quarters of the whole Council or three-quarters of those present and voting?—If the matter was not important enough for the Council to roll up in sufficient numbers and carry this matter over the heads of the local units, being a local question, it should stand undisturbed. It might be inconvenient, or unpleasant, but if the inconvenience was proved by experience, one of two things would happen: either the local authority would do its duty or there would afterwards on a similar occasion be a majority of the Council strong enough to compel it to do so.

12837. (*Mr. Gurney.*) For motives of economy the central authority would own the plant and would directly employ the engineers and other officers that were required, and these would not be under the control of the local committees without reference to the central authority?—No; I take it that the central authority would equip itself according to the needs of the whole locality, and if the district of Wynberg, say, being a part of the large authority, required the services of an engineer the engineer would be available on application. The plant and material would be centrally supplied and purchased. I do not see that there would be any difficulty in apportioning the charges on those heads.

12838. Can you give us any ideas upon the distribution of the responsibility for the existing debt under such a scheme as has been outlined?—I really would not like to say very much upon that off-hand, because it is a very thorny subject. All federations involve the very thorny question as to how the existing debts are to be taken over. I presume that the per-head obligation of the individuals could be computed if you knew the number of people at the time that a start was made with the federation.

12839. But you are aware that the debt is not equally represented by the available assets?—Just so. But how are you going into accounts to say that any debt is sufficiently represented by the assets?

12840. I was anxious to hear your opinions upon the matter?—It is a thing that I should have to consider very carefully. It has not been suggested to me, and I would be sorry to express any opinion on a thing which I had not weighed. I have not the figures in my mind by way of illustration, but I can quite understand that the position of the different ratepayers is a very different one. Speaking broadly, I would say that there should be a liberal readiness on the part of the ratepayers not to look too nicely at the question.

12841. It may be that if there is this local rating and spending of rates within the locality that, if certain Municipalities have been lightly rated in the past, they may be required to be more heavily rated to bring them up to the level of their neighbours?—That is another point with regard to the annual upkeep of localities. It would simply be a matter of the needs of the year that would determine the amount of the local rate. A locality needing less expenditure would need a less rate.

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12842. Presumably the locality which has been most lightly rated in the past would have to pay most in the future to bring itself into line with the others?—That may be so, but I do not really know. From my experience I should say that the different Municipalities are fairly on a level as to the actual condition of their roads. I do not notice, when going from one Municipality to another, any marked difference in the condition of the roads. It may be, however, that one of them may be backward through false economy in the past and, naturally, a heavier burden would have to come for improvements.

12843. That would be a purely local burden?—Yes, a heavier local burden would be entailed if there is such a state of things as you mention.

12844. *Chairman.*] That would be a phase of the differential rating system?—Yes, if any particular one of these areas had been neglected in the past and if that, under the new system, is to be remedied, as it should be, the annual charge in that place would be heavier than that which it has hitherto been accustomed to bear, and perhaps heavier than the Municipalities would be bearing which have not so neglected their work.

12845. *Dr. Anderson.*] If a central authority were constituted it would have the power, I take it, to engage upon schemes and to spend money upon public works, such as drainage, for instance?—Undoubtedly. My idea is that such a body would have very wide powers. It would have rating powers, without which it could do nothing, and it should also have powers which the Public Bodies Debts Act gives, by which the lender of any loan to this authority should have the guarantee of the whole value of the rateable property within the area; so that such a body would be able to get the best loans possible, on as good terms, probably, as the Colonial Government itself, say a three per cent. loan at par, or even at a premium in a good time. It should also have powers for expropriation, such powers as are conferred upon local authorities in many of the Acts of Parliament. A very good Act to look to in that matter would be the Cape Town Act of 1893, which affords very wide machinery for the expropriation of private interests for the purpose of the public. Such moneys as were expended in getting property that had to be expropriated would have to be provided not from general revenue but as a rule out of a loan. The revenue would not, as a rule, have to be put to the heavy expenditure of getting perhaps the very large properties which would be necessary in carrying out a large scheme of drainage.

12846. Have you considered the necessity of exercising any control over the spending of such a loan, or the enquiring into a scheme of expenditure before it is entered upon, on the part of either the Government, or the ratepayers, or in any way whatsoever?—We have now the existing law that if borrowing powers beyond a certain figure are to be exercised by any Local Authority, then it is competent for a number of ratepayers to demand a poll. I do not see why that principle should not be carried out in the case of a larger Municipality. I would, however, treat this new Central Authority that is to be constituted in a liberal manner. The ratepayers should have the opportunity of assenting to any large scheme, but if the Central Authority is to be hampered at every turn by the necessity of getting the authority of the great mass of the ratepayers you will get an unworkable body.

12847. On the other hand, do you not think that it would be of use to have a public enquiry held by Government officials into any scheme proposed by the central authority in which the expenditure of money on works was concerned?—I do not think so. I say that if we cannot trust the new body to do its duty properly we had better not constitute it. If you are to have a referendum on the expenditure of the central body, and if the Government of the country is then to determine finally whether this money is to be expended, or not, we are really putting into the scheme such a distrust of those who are to exercise the functions that we had better recognise that we cannot carry the scheme through at all. Once you bring this body to light you ought to trust it and not have a constant central control over it.

12848. I was thinking, when I put my question, of something of the nature of what is held in England called a Local Government Board Enquiry?—If we had a Local Government Board here my view might be different. As it happens, we have no Local Government Board here. To a certain extent the Health Department, in health matters, does a vast amount of work in advising local authorities on health schemes. But although we need something in the nature of a Local Government Board to be there in an advisory capacity, to help local authorities, we do not, as a fact, have it in this country. If we have to wait until we have a Local Government Board competent to sit over the schemes of the local authorities we shall have to wait a long time.

12849. The enquiries to which I refer are not held so much with a view to Government interference, but to see that no ratepayer or body of ratepayers is injured

by the scheme ?—It would mean that you would get into an interminable circle of red tape. If you cannot trust this local body, which will be given enormous powers, don't constitute it. But if you make the machine let it work, don't tie it up with red tape.

12850. *Mr. Stewart.*] Just a question, more or less of detail, in connection with the supply of water from Table Mountain. Referring to the division between Cape Town and Wynberg, do you remember whether it was looked upon as a source of additional expense when it was decided to construct two sets of works instead of one?—At the time of the decision I really do not know what was agreed. There is a big Blue Book containing all the evidence. I was Counsel in the matter for the Wynberg Municipality, but I do not remember that that aspect of the case came up very prominently.

12851. You may remember that the scheme as originally recommended by Mr. Gamble was one of the schemes?—Yes.

12852. And the effect of Wynberg getting one share and Cape Town another share, was that two works were ultimately constructed to tap one catchment area?—Undoubtedly, that was perfectly clear. One very grave objection to taking away the Liesbeek Municipality was that very question, otherwise the work which Mr. Gamble's scheme had in view would have been carried out. Of course Cape Town gained greatly, looking at it from that narrow point of view. But if the Liesbeek Municipality had stood for only a year or two more, the suburban populations would have had the benefit of the whole of the catchment area on the top of Table Mountain and Cape Town would have had none. Cape Town at that time was not nearly so alive to its interests as the suburbs. The Liesbeek Municipality's Act to obtain this water supply was entirely unopposed, and it was on the verge of passing when the Proclamation was issued dissolving the Municipality. If the Act had passed, the Liesbeek Municipality would have had the control of the entire catchment area and Cape Town could not have come in without violating vested rights and privileges.

12853. Is it the case that Wynberg, after the break up of the Liesbeek Municipality, proceeded to get this catchment area for itself?—It wished to take the whole catchment area, but, as I said before, Cape Town had then awakened to the situation and came in later, but still in the same Session, with a Bill. A very pretty model was produced of the top of Table Mountain and a mark was made dividing the area between Cape Town and Wynberg. I think Mr. Stewart was prominently engaged in the matter and really had a great deal to do with fixing the actual spot at which the watershed was divided.

12854 Without going into expert opinions, it was the case that two works had to be constructed at greater expense than was necessary for utilising the one source of supply?—Undoubtedly. There is no doubt very much money might have been saved in the works constructed for water both for Cape Town and the suburbs.

12855. So that if there had been some combination for the purpose of water supply there would have been a great saving?—Yes, and so it is to-day. Everyone can clearly see that, for the supply of water, there should be absolute combination of your localities. When I am speaking of the Peninsula, I am referring to the neighbourhood between Sea Point and Wynberg.

12856. There is plenty of evidence that Muizenberg and Simon's Town can look after themselves?—Apparently so.

12857. I understand from what you have said that you really favour amalgamation, if there is to be amalgamation, by mutual consent on the part of the Municipalities rather than by any effort of coercion?—Coercion, I say, is going to be a failure if it is tried. The Municipalities must be interested themselves in the scheme. The scheme must be such a one as commends itself to the Municipalities, and, I believe, that the ratepayers all along the line, if they see a scheme that will be calculated to solve these big puzzles that have been outstanding so long, will give their approval, but if you make a scheme that does not catch the approval of the public it will not be a success, and, even if it is put into operation, it will break down somewhere.

12858. *Mr. De Villiers.*] If we have found during the course of our evidence that certain Municipalities were quite willing to be wiped out of existence, what should be done with them?—They might be quite willing to be wiped out, but if they could continue to live—a poor thing, but their own—I think that you should prefer that. And if it came to a question of getting a uniformity of feeling without wiping out the Municipalities, or having to fight against some of them who would stand up resolutely and strongly, I should be inclined rather, at this stage, not to claim for the scheme that the Commission is going to produce an absolute finality, but to say that it is the best we can give, having regard to the feeling of the people. That is my feeling even if it involved maintaining these Municipalities which are quite ready to be wiped out, but maintaining them with reduced functions. My own belief is that in a very

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short time, if you do maintain the Municipalities with reduced functions, they would then be ready, though now unwilling, to take up the same line which those have taken up who are now willing to efface themselves, because they would see by practical experience of the working of the scheme, that it would be better that they should be simply local committees, though they do not wish that to-day, and have the strong feeling that they have their own municipal area, which is well managed, and they decline to efface themselves. I have this feeling, in my own mind, that I do not think you can successfully carry out your scheme in the teeth of antagonism on the part of the large areas you propose to deal with.

12859. *Chairman.*] We made application for certain professional advice which you were not at liberty to give to us, Mr. Schreiner?—Yes, I looked at the questions which you wished me to advise you upon, and I found that in every case some one or another had consulted me on some allied question, and I did not feel at liberty to give any legal opinion on the points.

12860. May I put a few general questions to you on the matter?—With the understanding that I will answer as far as I can.

12861. Now the difficulty we see in getting a proper water supply is this: that there is no possibility of finding any running stream of water from which a large portion could be brought into the Peninsula, without interfering very decidedly with large vested interest and rights. The evidence seems also to point in this direction: that a considerable area will have to be expropriated as catchment area and works will have to be built on the area; to some suitable extent perhaps intercepting the flow of a river, thereafter bringing the water to the Peninsula by pipes or otherwise. What I would like to ask you would be, to point to the legal difficulties which would beset us in any such scheme, and the pitfalls which we have to try and avoid, or provide against?—By experience of a good many years in different water schemes on which I have been consulted—without going into details—I feel this: that to take the water of a running stream to a distance without statutory power is an undertaking which I would never recommend a local authority to endeavour to carry out, unless, and until, the conditions of the Public Health Act of 1897 are satisfied. That is to say, if the scheme approved by the Government to bring in water from some place outside the Municipality is the scheme that is in hand, then you may be able to carry it out without statutory authority. You can then get the necessary passage of water on reasonable terms under that Act so that no special authority would be wanted. But you would still not be in a position to interfere with riparian rights on the same stream, and this is the difficulty that always arises: unless you expropriate the riparian rights, which you may be able to do under the Health Act, you practically want a special Act of Parliament as well, even in addition to the Public Health Act. You say that you propose to establish a catchment area at some place and propose to dam water there. Well, so long as you do not interfere, at any time of the year, with the accustomed flow of the water below your damming up, that is to say, as long as so much water goes down after as went down customarily before at similar periods of the year, you are not interfering with riparian rights. But the difficulty will be to prove that. That you will find a very great difficulty indeed. You want to have a series of gaugings extending over a period of time to establish irrefragable evidence that cannot be gainsaid by anybody. You must anticipate that the lower riparian proprietors are going to be armed with strong proofs that before you started operations things were so, and now they are so, and they will bring actions for interdicts and damages against you. If you propose to take a very important source of water from a lengthy river, well, naturally, you will be cutting across rights that, perhaps, are not innumerable, but at any rate are very numerous indeed, and you may find yourself in a great difficulty unless you get special Parliamentary authority. I have never yet advised any public body to abstain from going to Parliament to get special sanction for a water scheme if it wants to take water from a distance or to take water from a running stream upon which lower riparian proprietors are affected. Without any Act of Parliament the one successful scheme is the very important local case of the Cape Town District Water Works Company. They did not take a stream, or they said they did not, but they took springs. They purchased springs and developed them in the immediate neighbourhood of a stream and they managed to carry out their scheme by contracts with different Municipalities. They provided their water by developing springs, but even they found an action brought against them, and the result was they were interdicted, to a certain limited extent, from taking water as freely as they have been taking it by percolation from the Liesbeek River. Mr Struben and others said, and succeeded in proving, that there had been interference with the Liesbeek River. That is the only scheme that has practically succeeded, with only one lawsuit, in carrying out a large supply of water without an Act of Parliament, and that was an entirely local scheme

and had the advantage of the proprietorship of quite exceptionally large private springs. But if you are going to take running water from a public stream, practically you cannot succeed satisfactorily, unless you obtain Parliamentary powers.

12862. The difficulty we have before us is this: that there is not, anywhere near, a running stream which will give the required supply of water by its flow. The evidence seems to point to this: that in any case it will be necessary to provide a catchment area and dam up the flow of the surface water. Now then comes the question of how far the riparian owners on any rivers below that site are interested in the storm water which it is wished to catch. They are very largely interested you say in the normal flow coming down the stream, but does that imply that the normal flow of storm water has to come down, or only the normal current exclusive of the storm water?—That is one of the knottiest problems of law, because we have not yet had any considerable decision as to the rights with regard to storm water, and therefore I cannot undertake to give you any sound guide, other than my own opinion.

12863. Would you be disposed to give us a guide in so far as this: can we come to any arrangement, that will bind all the riparian proprietors on such a river, to abstract either the whole or a portion of that storm water?—Yes, you may, if you can. But remember that you would have to take, in theory, all riparian proprietors into communication with yourself right down to the sea. You might deal with blocks of proprietors, as it were from their local point of view, that is to say practically through their Local Authorities, the Divisional Councils and the Municipalities, if the stream ran through any Municipality. You might find that reasonable arrangements could be made on the Local Authorities being willing to help you, you would be able to get the assenting signatures of the persons who were the riparian proprietors lower down, but you must remember that to affix a servitude over the property it should be registered against the title deeds, and there a difficulty will arise. A man may say quite liberally, "Oh, I don't care so much about the water, you may have it with pleasure;" but when you say, "All right, will you bring your title deeds and let us register the servitude," he will very probably reply, "I do not care about doing that because I want my title to be clear and I do not want anything registered against it." If you then go on with your work on the simple agreement, without registering the servitude, and the man becomes insolvent or sells his property, the new proprietor may be a litigious person and he may say, "Where is my water? I want it as of old," and you would be obliged to supply him with the water. So you see that it is a very dangerous thing to attempt to carry out such schemes merely by agreement; you should never fail to get registration of the agreement upon the title deeds of the property. When you can do that you have as ample security as by an Act of Parliament, but I may forecast to you that it would be extremely difficult to do it.

12864. To what extent would an Act of Parliament help in that matter?—Acts of Parliament have been passed over and over again to give these rights. Take the Oudtshoorn Water Supply Bill, one of the most recent. That scheme had to go through in the way I suggest. The Oudtshoorn people made an attempt to carry out its scheme without an Act of Parliament, but found it quite impossible to do so. They came to Parliament and eventually got their rights on a fair basis. This Oudtshoorn scheme is a good illustration of your difficulty, because Oudtshoorn is a place where every drop of water has its money value, and yet the scheme was carried out with expropriation of the rights of the riparian proprietors, and therefore, of course, compensation.

12865. Did the Act lay down the terms of compensation?—No, it was left to arbitration. I am not prepared to say what sums the Oudtshoorn people had to pay.

12866. Was that supply for the town of Oudtshoorn?—Yes, for the town. For a long time it had an unsatisfactory scheme of water supply and the people worked for years to get another scheme.

12867. Did the scheme contemplate bringing water to which Oudtshoorn had a natural right?—Bringing water from a point far outside the Municipality.

12868. But did the stream from which the water was obtained pass Oudtshoorn?—No, I believe not. The water, as far as I remember, had quite another watershed. The townspeople consulted me upon the matter, and I think their scheme worked out very satisfactorily.

12869. Would Clause 19 of the Public Health Act of 1897 cover the various points which we tried to get your opinion upon?—You see Clause 19 contains the words:—"any urban local authority may either within or without the limits of its district from time to time purchase or acquire the right to any water or waterworks, or undertake, or cause to be undertaken, any works for impounding, storing or distributing any water to which such local authority has a legal right." That clause presumes the existence of a legal right. You must have a legal right before that clause operates.

Hon. W. P. Schreiner. 18th June, 1902.

12870. *Dr. Gregory.*] Lower down in the clause it says that the authority can expropriate?—Clause 19 provides that if you have a legal right to water, you may proceed to do certain things.

12871. *Chairman.*] And it could not acquire a legal right to the water at the head waters of a river without compensating?—This is not an expropriating Act. From my experience both in the Parliament itself, at the time at which it was under consideration, and from having been in office not very long before, I can say that this was never intended to be an expropriating Act. It goes on to say, "after giving reasonable notice, in writing, to the owner or occupier of its intention of so doing, into, through, or under any private land or premises, or compulsorily acquire any land or premises, and for these purposes may make such compensation as may be mutually agreed upon or fixed by arbitration; and all such waterworks shall be vested in the local authority," but that does not do away with the initial difficulty that the authority must have legal rights.

12872. Your other point is that from the head waters of the river to its debouchement into the sea, the riparian interests and rights have to be considered?—Decidedly I say that, and I wish it to be put on record, having in mind, particularly, a case in which I have been consulted, and I may give the effect of my opinion as it is in favour of my client. This is what I have advised in regard to the Woodstock scheme: It is my own view only, the matter has never been decided in Court, but I may tell the Woodstock people frankly that their scheme is one which cannot go through unless they have an Act of Parliament. It is well known that the lower proprietors on the line of their stream in the direction of Paarl have given notice to Woodstock of what it is their intention to do, and at present the thing is hanging fire. No one wants to litigate, but if Woodstock were to push the thing through so as to detrimentally affect the supply of water lower down the stream the proprietors would have to take some steps to determine their position. That Woodstock has a legal right, within limits where it has purchased the water, no one will gainsay, but it must not erect works below which the water does not flow as it has been accustomed to flow in the past. Then you say; what about the storm water? But that will be difficult to advise upon. Generally each case would have to stand upon its own merits. You can quite understand that a person might make use of the storm water. He might make certain dams and places to fill which the storm water would be required, and which would be of no use without that storm water. Such a person would have a decided grievance if the supply of storm water was cut off. The rights of such a person would be protected if he has actually utilised the storm water in the past. If on the other hand, the storm water has never been utilised and the only way in which people have been affected by it has been the thankfulness that it has gone past without injuring them, it is quite another question. Whether any Court would care to interdict you for conserving that storm water which has been running away wastefully, and without any use having been made of it, is a matter of reasonable doubt. It is, after all, exceptional water, and where there has been no use made of this exceptional water it is doubtful in my mind whether any interference with its intended use in the future would be allowed.

12873. But does not this element come in, that, even although the water has not been purposely diverted, the very fact that the water comes down and soaks into the ground constitutes a right to it?—I may say that I think it does constitute a right, but there is no decision of the Court that goes the length of interdicting the man above from using the storm water just as he pleases. The Court has never laid down that, as regards storm water, the lower proprietors are entitled to a reasonable share. The rulings go rather to the matter of the scarcity of water, that is to say, they deal with water when it is scarce. The general doctrine is that a man may use as much water as he pleases when there is plenty of it for his neighbours, but when it becomes scarce he must be careful how he uses it. There is no case which goes to shew that if water is coming down a stream, water that has recently fallen from the heavens, and quite beyond the ordinary flow of the stream, that then, in regard to that water, the lower riparian proprietor may say to the upper one, "You may not divert that water because I want it." I do not know of such a case, but I am inclined to think that the right is there, because the general theory is that in regard to water each riparian owner has a certain share.

12874. You mean that the right of the lower proprietor to store water exists?—I am inclined to think that the right is there, but whether the Court would grant an interdict I have my doubts. I do not know that, in the absence of any proof of any damage whatever they would grant such an interdict, but what I say will indicate the extremely intricate character of the local incidents affecting storm water, and, therefore, the extremely risky character of a scheme that involves your saying, "We will take all the storm water." Whether there would be the same risk if you had to add to the water by bringing in a new supply from some other catchment area and then taking water from the combined supply, the situation would be distinctly different.

12875. *Dr. Gregory.*] But then would you not be depriving someone else?—Quite possibly you might find yourself, in the other direction, depriving some one else.

12876. There is a scheme—that is the Palmiet River scheme—where nobody takes the water of the river nor ever has taken the water down the whole of its course. Would the riparian owners in that case still continue to have ownership of this water?—The riparian owners have a reasonable right to the water independent of their ever having used it. You must at any time be prepared to give them their share of the ordinary flow of the water, even though they have never previously used it. It is a decision that has been frequently followed, where people have taken, for thirty years and over, the whole flow of the water as lower proprietors, but had not gone on to the upper land, and then the upper proprietor has come and taken the water, that is, a portion of the water, to use upon his land. A case I have in mind was where the land had been Crown land and was then sold to a purchaser, who proceeded to divert the water, although for far more than 30 years the water had been used by the lower proprietor. In that case the upper riparian owner was held to be entitled to a reasonable share of the water. There was no prescription against him. The mere lapse of time does not debar any riparian owner from a reasonable share of the water, but if, for over 30 years, you have diverted the water upon his land so that you were doing it adversely to him, you would have a prescriptive right to go on doing so. As to taking water above in a way that it has not been taken, and saying that the lower riparian proprietor, because, for a long period of time, he has not used it, has forfeited his rights, it is out of the question, unless you have so taken the water for the prescriptive period. There has been no such case as to storm water where the question of damages has had to be considered, and if, in the case which you mention, the ordinary flow of water were diverted, the riparian owners were to bring an action for damages they would very likely fail in proving substantial damage.

12877. *Mr. de Villiers.*] They would get their interdict?—Yes, probably, and perhaps £5 damages.

12878. *Chairman.*] The point, it would appear, if it is possible to bring a supply of water to Cape Town only by such means, is that arrangements should be made to do it by Act of Parliament in the first instance, and make terms with those really interested in the second?—And if you make terms, never forget to get them registered against the title deeds.

12879. *Mr. Stewart.*] Has the owner of surface water the right to divert it before it enters a stream; that is to say, if we had a catchment area and we impounded the water as it was flowing down the sides of the mountain, that is the rain water flowing superficially and temporarily, have we a right to it?—You do not mean water from any spring?

12880. No, flowing from the rain?—I have no doubt whatever that you could do that. No one could stop you if you had acquired the property upon which you went to work. You may take whatever measures you please upon your own land. The water is not in your ownership because it has fallen, but you can make it your own by making a catchment system for it, on your own property, just as you may, on your own farm, dig down a well to any depth, lower it may be than another man's well, with the result that you may take all his water.

12881. There are many places where there are tremendous amounts of water running on the slopes of the mountain but in no water courses?—I daresay.

12882. Just one question with regard to the Liesbeek water matter. Was it not the fact that the Water Works Company were compelled to restore to the river the quantity of water which had been found flowing into the stream before they commenced their operations?—Yes; there were careful gaugings taken and the Court arrived at what it considered to be an average flow into the Liesbeek stream before the Company began operations. An interdict was granted for the restoration of that amount of water, which interdict has, no doubt, been loyally observed by the Company, anyone who sees the stream will know how loyally.

THURSDAY, 19TH JUNE, 1902.

Present :

Sir W. BISSET BERRY (Chairman).

DR. A. J. GREGORY.	Mr. W. E. GURNEY.
DR. A. J. ANDERSON.	Mr. T. STEWART.
Mr. J. E. R. DE VILLIERS.	

Mr. Thomas Stewart, M.I.C.E., examined.

Mr. *Thomas Stewart.* 19th June, 1902

12883. *Chairman.*] Your full name, Mr. Stewart ?—Thomas Stewart.

12884. You are a member of the Institution of Civil Engineers, and a Fellow of the Geological Society of London ?—Yes.

12885. And you are Consulting Engineer, are you not, to the Cape Town Corporation ?—No, strictly speaking, I am Engineer-in-Chief for the reservoir works. I designed and superintended the construction of the Woodhead Reservoir, and at present I am fulfilling the same functions for the Additional Reservoir now in course of construction.

12886. But you are also Engineer for Wynberg Municipality, are you not ?—Yes, for all new works there.

12887. You are engaged by the Kalk Bay Municipality as well, are you not ?—Their waterworks were designed by me and constructed under my supervision, and since then I have been Consulting Engineer for these works.

12888. And also for Simonstown ?—No, I constructed a reservoir and other works for them, but I am not connected with them in any way at present.

12889. Now, you have been a long time in this Colony carrying out works of this kind, have you not, Mr. Stewart ?—I have been in this country for about 19½ years, 3½ years of which I was Chief Assistant to the Hydraulic Engineer of the Colony.

12890. That is the late Mr. Gamble ?—Yes.

12891. You have been associated, more or less, with all the more important waterworks that have been constructed in this Colony ?—Yes.

12892. You were the Engineer for the Woodhead reservoir, were you not ?—Yes.

12893. And you are also the Engineer for the new reservoir now being constructed on the mountain ?—Yes.

12894. I mean the new reservoir which is being constructed on the top of Table Mountain for Cape Town ? I am not referring to the new reservoir being constructed in the suburbs ?—That is so.

12895. Then, Mr. Stewart, you also constructed the Wynberg Water Works in 1888 ?—Yes, and I have been connected with them ever since in carrying out any new schemes.

12896. Now, what was the first project for giving a supply of water to Cape Town, with which you were connected in any way ?—The first project for giving a supply of water to Cape Town and to the district, was the project of the Table Mountain Water Works Company. I was not, however, associated with it, in its initial stages, but, as chief assistant to Mr. Gamble, I had ample opportunities of examining into the project, after my arrival in the country. The first proposals, in connection with the Table Mountain Water Works Company, took place in 1881, and I did not arrive until the end of 1882.

12897. At that time, the area on the top of Table Mountain had not been vested in any public body outside the Government, is that not so ?—Yes, that is so.

12898. And the principal object in the Bill introduced by that Syndicate was to secure as a catchment area the area on the top of the mountain, for the purpose of conserving water ?—Yes, that was so ; shortly, to utilise that portion of the mountain which drains into Hout Bay. It was not a question of utilising the whole of the resources on Table Mountain, but merely the portion draining into Hout Bay.

12899. Are there any streams, designated by any particular names, running in that direction ?—There are two streams, the chief one of which is the Hout Bay stream and the other is the Disa stream. I will describe shortly the project, as described by Mr. Gamble himself, Mr. Chairman, in a paper read by him before the Philosophical Society of South Africa in 1882. The abstract from it, wich refers more particularly to this question, is as follows :—

> "At least three-fourths of the drainage of Table Mountain runs away to the southward and falls into Hout Bay. Up to the time of the surveys made under the author's superintendence in the year 1881, it was believed that a good supply of water could be got at the 'Plateau,' two thousand four hundred feet above sea

level, twelve hundred feet below the top. No doubt in some seasons there is a good supply; and probably some years ago, when there was a good deal more bush on the mountain, the supply was more constant than it is at present. In 1881 the stream on the 'Plateau' dwindled down to almost nothing, less than 6,000 gallons per diem, and in 1882 it actually stopped. Of course by trusting mainly to storage, a supply could be got at this height, for an enormous quantity of water runs there in winter time. The author has two rain-gauges on Table Mountain, one 2,500 feet above sea level, the other 3,100 feet above sea level. The rainfall on the mountain, more especially at the upper of the two stations, is relatively great, being even larger than the fall at Bishopscourt, which has hitherto proved the wettest place where a gauge is kept. Storage, however, in an artificial reservoir would be expensive and perhaps troublesome, hence it is desirable to utilise as far as possible the natural storage afforded by the pores and fissures of the sandstone. Seven hundred feet below the 'Plateau' the stream is stronger, as there are many small springs along the intervening gorge. The stream, as may be seen on the map, bends towards the Atlantic side and comes so close that it affords an opportunity of bringing the water through to the westward by means of a tunnel of reasonable length. This was one of the two schemes suggested by the author to the Town Council of Cape Town, though not the one recommended. But even near the proposed tunnel mouth, the daily discharge in summer fell as low as 65,000 gallons. Below this level, however, there is a very great increase in the permanent flow of springs. All along the south side of the mountain, in the interior of the horseshoe-like valley discharging into Hout Bay, are springs about one thousand feet above sea level, apparently where the sandstone overlies the granite. The proposal of the Company is to collect as many as possible of these springs into one main, which will be laid over the 'col' or 'nek' between Hout Bay and Constantia, and along the Eastern slopes of Table Mountain."

12900. Then the syndicate got their Bill through Parliament with a view of giving effect to this project?—That was so.

12901. But the Bill really never had operative force owing to certain defects in its provisions, is that not so?—Well, the chief defect was that it contained no rating power, and the promoters could not float a company, as the Bill stood, although they tried to do so.

12902. The Bill simply gave them the power to make a charge for the water from those people who intimated their desire to be supplied?—Yes, that is so.

12903. And under those terms the promoters declined to proceed?—Yes; and, I may mention, that at that time many people believed that they had sufficient water in their back yards.

12904. Then, after a little time, this syndicate parted with the rights which this Bill had given it?—Yes; they sold their plans to either Cape Town or Wynberg—anyhow they parted with them.

12905. And the Municipal authorities, in the circumstances in which they found themselves then, came to Parliament in the session of 1887 to get the rights vested in them, that had previously been vested in the syndicate?—That however was after the Liesbeek Municipality had endeavoured to carry through the Bill, but had failed, for the reasons given yesterday by Mr. Schreiner in the course of his evidence.

12906. Then in terms of their Act of 1887, I think it was, the Cape Town Municipality had invested in them, a large area on the top of the mountain, part of which is now the catchment area for the existing reservoir?—Cape Town obtained about 990 acres of the catchment area flowing down towards Hout Bay. That is the catchment area, the run-off from which can be intercepted at the Woodhead tunnel

12907. And the remainder of the area was given to Wynberg?—Yes, the portion given to Wynberg is rather a small portion. I would like to point out in connection with the utilization of this source, that it was not intended originally that there should be two separate works to deal with it.

12908. You mean the scheme originally projected by Mr. Gamble?—Yes. Two separate works have been constructed to deal with the same catchment area, which is a state of affairs that was never suggested in any of the reports. I want to make that perfectly clear, because it has been frequently stated in public that the division was in accordance with Mr. Gamble's recommendations.

12909. What do you mean by saying that two works have been constructed? Do you mean the Cape Town works and the Wynberg works?—Yes; I mean that one work could have utilised all the water, had the two Municipalities seen their way to combine in the matter.

Mr *Thomas Stewart.*

19th June, 1902.

12910. *Mr. Gurney.*] With much greater economy?—Oh yes, at a very great saving.

12911. *Chairman.*] That is to say, one pipe line could have been put down by which the people of both Municipalities could have been supplied?—Yes; of course, it involved the laying of the pipes in a different way. There would have been no Woodhead tunnel, for example. The scheme recommended by Mr. Gamble was a scheme for taking all the water down to a level of about 800 feet above the sea in Orange Kloof, and bringing that water round Constantia Nek, past Wynberg to Cape Town, and supplying all the Municipalities in that way. However, the tunnel scheme—that is the Woodhead scheme—was an alternative scheme proposed by Mr. Gamble, as described in his report, but it was not recommended by him as the better of the two.

12912. Now, after Cape Town obtained its Act in 1887, the Corporation proceeded to construct certain works, did they not?—Yes.

12913. And how did they begin?—They proceeded to make a tunnel and to lay a line of pipes from the entrance of the tunnel round to the Molteno reservoir. In doing this they followed one of the alternative routes suggested by Mr. Gamble. I was not the engineer, however, for that part of the work.

12914. Who was the engineer at the time?—I think it was the City Engineer, Mr. Cairncross.

12915. And at Wynberg, how did they proceed to carry out works in pursuance of the Act?—Wynberg proceeded to construct intakes in Orange Kloof, and to lay pipes from there round to Wynberg.

12916. And they also acquired additional land in Orange Kloof about the same time?—Yes; before Wynberg got their Bill through they had secured the farm Orange Kloof on which their intakes are situated. As a matter of fact Wynberg got a good dry-weather flow for the first four years from the streams on the Orange Kloof property, but not from the ground given to Wynberg by the Government, because the supply from that ground ceased in the summer time.

12917. Why did it cease? Was it pretty well all intercepted by the Cape Town supply?—No, but the catchment area given to Wynberg by the Government yielded no run-off during the summer time. It afforded a fairly good site for a storage reservoir, but this site is not well placed for receiving a large supply of water.

12918. Then the Cape Town Corporation started its works by the construction of the tunnel and the laying of the pipes round the side of the mountain; will you please say what was the next thing they did?—After that Cape Town found that in the summer time the run towards Hout Bay, at the entrance of the tunnel, was insufficient for their requirements. As a matter of fact, the flow was found by me to get as low as from 20,000 to 30,000 gallons for 24 hours. They thereupon decided to proceed with the construction of reservoir works for storing the run-off in the winter months, which had been shewn by Mr. Gamble to be very large; and I was engaged by the Municipal Council for the purpose of carrying out the works, and I made a detailed survey of the whole of their catchment area.

12919. That was about 1892, was it not?—The survey was begun early in 1892, and the works towards the end of the same year.

12920. You had been observing the rainfall there, and you had been gauging it; and you had come to the conclusion that a very large storage could be effected in that part?—Yes, I may mention that, when the original investigations were made in 1881, the only rainfall readings available to Mr. Gamble were those of a few months. Mr. Gamble had two rain gauges erected and since 1881, up to the time I was called in to report, those readings were available together with the readings from another two gauges also erected by him, but, unfortunately, no consecutive gaugings had been taken of the flow-off when I began the investigation. Consequently, although my agreement with the Town Council was simply to find a site on which £50,000 could be spent for a water supply—because that is the way in which the money was voted by the ratepayers,—I surveyed the whole of the mountain and drew up a report, of which I handed you a copy, and in which several sites are described. Gaugings of the stream were taken, and although they were not carried over a long period, they enabled me to form a general idea of what could be obtained from the catchment area, and shewed that the construction of a reservoir of a certain size would be amply justified. Whether a larger one could have been constructed at the time, was not so evident. The observations were somewhat few, and we did not care to risk undertaking too big a work.

12921. You mean to say that you were not satisfied from the observations at your disposal that from the run-off a very large storage supply could be secured there?—That is so.

12922. And then, did you start with the idea that the expenditure of £50,000 would produce a reservoir large enough to contain the run-off?—Oh, no. I regarded

the £50,000 as quite inadequate for the building of a suitable reservoir, and I reported accordingly to the Town Council of that time, who did not encourage me in exploiting sites which would cost more than £50,000, as my arrangement with them was to build a reservoir which would cost £50,000. But, as I have already pointed out, I knew from previous experience that £50,000 could not secure an adequate supply of water for Cape Town. Therefore, I pointed out to them that the least they should do was to build a dam of a height of 112 feet. That, however, they could not do at the time because the estimated cost was so much in excess of what had been voted, and they did not care to go to the ratepayers again. After much discussion on the subject, I was authorised to proceed with the building of a masonry dam of that height, but its height, in the first instance, was to be limited to what could be done with £50,000. After the work had been in hand for about a year, there was a scarcity of water in Cape Town, and the late Sir John Woodhead (then Mr. Woodhead) and the Water Committee visited the works in progress, and having seen the possibilities of the site they recommended the Council to build the dam high enough to impound 225,000,000 gallons. A vote was taken by the Council for increasing the work and then it proceeded.

12923. Did you give them any idea of the quantity of water that would be available for storage at that site, at that time?—Oh yes; they had that at various times.

12924. And then you proceeded to construct a reservoir with the idea of conserving a large proportion of that water or, perhaps, the whole of it?—I had no doubt whatever, by that time, that there would be a surplus amount of water over and beyond the 225,000,000 gallons which the big reservoir would contain, but the equalising effect of the reservoir could not be determined at that time, with the information I had then before me. It wanted observations for, at least, two or three years in order to show exactly the range of the dry season and its effect on the run-off. Subsequent events have shown that the existing reservoir has had an equalising capacity of about 500,000,000 gallons, or more than double the nett capacity of the reservoir. I have here a table showing the rainfall at various stations in the Peninsula to which I should like to draw attention, and which I hand in to the Commission. [Table handed in.] You will notice, in the year 1894, that there was a large increase in the number of rain-gauges on the mountain. Now, I wish to draw your attention to this fact: you have the Disa Head gauge, fixed in 1882, giving, in 1894, a rainfall of about 35 inches. The following gauge is the gauge known as the "Dam Gauge" erected by me, and that is within 200 yards, or thereabouts, of the Disa Head gauge, yet the rainfall there is, roughly, 47 inches, as against 35 inches at the former place. Then you go on to the Maclear Beacon, where the gauge for 1894 gives 74 inches of rain, and again you contrast it with the Disa Head gauge which is only 35 inches, the Maclear Beacon gauge giving fully double the amount of rainfall. In 1894, when we decided upon the increase of that reservoir, we had not the higher readings which the gauge at Maclear's Beacon yields and, in 1892, when the reservoir was originally designed, the only records available were those from the Disa Head and the other three gauges.

12925. Do I understand you by that to convey the idea that, after the Woodhead Reservoir was constructed, and in consequence of the observations which you had been carrying out since 1894, you considered that there would be a sufficient flow-off to fill another reservoir as big as the Woodhead Reservoir?—That is so, but long before the Woodhead Reservoir was finished I saw clearly enough that there was a large surplus supply of water, but by this time the dam could not have been increased in width, even if it had been desirable to do so; moreover, the feeling of the people in Cape Town was against the voting of any additional money. There was also another reason, which I think weighed more with the Council than anything else, and that was the necessity of providing a supply of water as soon as possible. As the work proceeded, from time to time, I received instructions to store as much water as the reservoir could hold as the supply to the town was scanty.

12926. You are speaking now of the Woodhead Reservoir, are you not?—Yes, I may add that, had we made the dam bigger then, we should not have been able to store the quantity of water that was required at the time.

12927. Would you just indicate to the Commission, as nearly as you can, the facts upon which you based your recommendation of a second reservoir?—Shortly after I began my investigations on Table Mountain, I got a self-recording gauge for the stream, and we carried on daily records, in fact hourly records, of the run of the stream from a portion of the catchment area extending to 510 acres, and so I determined how much water actually did run off in a particular year. Subsequent observations went to show that, taking the dry years like 1894, 1895 and 1896, there was no question whatever that we could have about 800,000,000 gallons of water per year from the catchment area above the Woodhead Reservoir.

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12928. Did you find that out by actual observation?—Yes, except in the case of certain floods which were beyond the measuring capacity of the gauge.

12929. Was that your observation of the overflow from the Woodhead Reservoir which was constructed?—No. This was a gauge, erected specially for the purpose of measuring the rate of the flow of the principal stream, where it enters the Woodhead Reservoir. The Woodhead Reservoir at that time was not built. Of course, since then we have measured the quantity of water which has run off in the Woodhead Reservoir.

12930. Have you arrived at any knowledge of what the run-off is on that catchment area that can be depended on proportionate to the rainfall?—The Table handed in shews the rainfall. Taking the dry years of 1893, 1894 and 1895, I say, that you could get a quantity of 800,000,000 gallons a year from the rainfall observed at the different stations, on Table Mountain.

12931. What proportion does that run-off bear to the total rainfall, that is to say, knowing as you do the total rainfall, what proportion thereof would you be able to store?—That entirely depends on, what you might call, the kind of year that you might get. For instance, you might get a year when your rainfall is distributed fairly well over the wet season and another year when most of it falls either at the beginning or end of the wet season. Roughly speaking, we find that the proportion of the rainfall which flows off varies from 60 to 75 per cent.

12932. Do you think that quantity of run-off would govern areas at a similar elevation within a radius of 60 or 80 miles of Cape Town?—Yes, I think, it is fairly applicable; only, if your catchment area is bigger than that of Table Mountain, it would be necessary to take a somewhat smaller percentage, because the larger the catchment area the less is the proportion of rain which comes off it.

12933. Have you been able to verify that estimate at all, since your works have been in more advanced state?—Yes.

12934. That is to say, the quantity intercepted and flowing into the reservoir, the quantity overflowing the reservoir, and the quantity distributed in town; do they work out pretty well with such an estimate of run-off as 60 to 75 per cent.?—Oh, yes. I may mention that we have a diagram shewing the capacity of the reservoir at different heights, so that we see exactly to what height a certain rainfall causes the water to rise.

12935. These works in connection with the new reservoir are progressing, are they not?—Yes, very slowly. It is chiefly a matter of Native labour because, instead of having 300 Natives at work as we ought to have up there, we have only about 100. The Town Council, and I may say all concerned, are particularly anxious to get the work finished, but we are in that dilemma.

12936. And now with this work in progress and taking into account its capacity as well, are you of opinion that there will be thereby provided a sufficient supply of water for the prospective needs of Cape Town?—Well, for a number of years. I think with these reservoirs and some smaller catchment areas which can be impounded the town can get along for the next eight or ten years. Of course, it is almost impossible to say what abnormal increase there may be in Cape Town owing to circumstances which we do not altogether foresee at the present time.

12937. Do you think that when these works are completed you have about reached the limit of a possible supply as far as the area on the mountain is concerned?—Yes, I should not recommend the Town Council of Cape Town to construct any additional large works there.

12938. You mean on the mountain?—Yes. I may say that there are two small catchment areas which may be led in, and which will give an increase of about 250,000 gallons a day. But that cannot be looked upon as a considerable augmentation of the supply.

12939. May I just ask, supposing you had been able to foresee that this new reservoir would cost £190,000, and that there would be all this delay about it, would you still have recommended it to be built?—Yes, I should still have recommended the building of the reservoir. It is as cheap a source of supply as we can find outside, unless we go in for a scheme from which we can sell something over 5,000,000 gallons a day as soon as the works are completed.

12940. This new reservoir will cost about at the rate of £1,000 for 1,000,000 gallons storage?—I don't expect that it will exceed £190,000, but it will cost very nearly that. The reservoir will, of course, do a certain amount of equalising too, and, as it is quite fair to consider two seasons together, its effect on increasing the water supply of Cape Town will be much greater than 200,000,000 gallons.

12941. I might ask you first before proceeding further whether there are any other sources of supply in the Peninsula?—Before answering that question, Mr. Chairman, I should like to read to the Commission an abstract from a report of mine to

the City Council. The abstract is as follows:—"This reservoir, now known as the Table Mountain Woodhead Reservoir, was begun in 1892 and completed in May, 1897. It has a total capacity of about 225,000,000 gallons, and it is capable of augmenting the supply throughout the dry season by a little over 1,000,000 gallons per day. As there was still a surplus of over 200,000,000 gallons available during June, July, and August of dry years, the Additional Storage Reservoir, now in course of construction, was designed to impound this water. The whole of the water available from the mountain above the Woodhead Tunnel, when the additional reservoir is completed, may be taken in very dry seasons as equivalent to an average of about 2,000,000 gallons a day. As this quantity can be augmented in the future by intercepting the discharge from two small areas contiguous to that now utilised, I propose to take the available supply at the Kloof Nek Reservoir at 2,250,000 gallons a day. Of course, in seasons when the rainfall is not deficient the quantity available will be much larger, but it will save complications in considering the matter if the surplus due to this cause is neglected for the present." That, I think, Mr. Chairman, covers everything in connection with the Table Mountain supply.

12942. But are there any other sources of water supply in the Peninsula, about the mountain, that can be made use of, Mr. Stewart, either for Cape Town, Wynberg or the suburbs generally?—There are various sources, but, with the exception of the source mentioned by Mr. Vollmer when he gave his evidence on the Wynberg water supply, I scarcely think that they are worth consideration.

12943. That was in the Orange Kloof area?—Yes, I exclude the Silver Mine stream now utilised for Kalk Bay; that is an available source as far as it goes, but it is not a source which one would recommend to be brought into the general supply.

12944. Would that source be available for Kalk Bay and Simon's Town?—It is in a position where it can be very easily utilised for both, and, as a matter of fact, it is utilised now for Kalk Bay.

12945. And there would be enough overflow to meet the immediate needs of Simonstown as well?—Well, from my observations, Mr. Chairman, there is enough water there to meet any needs that we can think of for Simon's Town for a long time to come. There would be about 500,000 gallons a day when stored. I do not say that there will not be more, because my observations are not as complete as I should like them to be.

12946. Have you made any observations which would warrant you in giving an opinion as to whether the cost of the works necessary for the purpose of making the water available there would be excessive or not?—The cost of the work in order to render available 500,000 gallons of water a day from the Silver Mine stream would be very moderate indeed. I estimate that by spending £60,000 you can get a storage of 140,000,000 gallons.

12947. In order to carry that, or the needed quantity down to Simonstown, have you any idea what the cost would be?—Of course the first point is how much Simonstown would want. I may say I have given certain views on the subject to the Mayors of both Municipalities, but I should prefer the Commission to get those views from the persons to whom they were given.

12948. There are no great difficulties in laying pipes there, are there?—No, it is a very simple matter as far as that goes, and, in my opinion, it would be to the advantage of both.

12949. Is there no tunnelling to be made, or anything of that kind?—No.

12950. There are no engineering difficulties?—No.

12951. Do you know how the Municipality of Simonstown feel towards a scheme of that kind? Have you any indication of it?—I have no idea. The evidence given here before this Commission is all that I know in connection with it.

12952. They seem to think that it would only be Kalk Bay leavings that would be available for them; but the fact seems to be that the Kalk Bay people cannot now store the very large quantity of water which flows off there?—Practically all the water flows off.

12953. It only wants a larger storage reservoir to be constructed in order to intercept the necessary quantity?—Yes, that is really the state of affairs. Kalk Bay gets its water supply from a height of about 1400 feet above the sea, and its catchment area is about 440 acres, but its intake is a little lower down the stream than its reservoir; and its catchment area to the intake is about 620 acres. (Witness here pointed out to the Commission the details on a map.) Apparently, from the evidence given before this Commission by the representatives of Simonstown, their idea seems to have been to take the water from a different part of the stream, instead of taking it direct from the storage reservoir at Kalk Bay. The point however is that the existing reservoir, which only holds 18,000,000 gallons can be raised to hold 140,000,000 gallons if required.

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12954. And your idea would be to take a pipe from the raisod reservoir to Simonstown?—Yes, or from a joint pipe. I think I may mention that if they agreed to take water from there, the best way for laying the pipes would doubtless be to lay them down the valley and go across the Fish Hoek valley, not to go round by Muizenberg and Kalk Bay, because the distance by that route is very much greater than the other way, which is perfectly feasible. In this connection, I notice that one witness in giving his evidence said that there would be no difficulty whatever in giving a supply to Simonstown from Kalk Bay by prolonging the pipe which now serves Kalk Bay. Well, that would be rather objectionable. In the first instance, the pipe is too small to get a quantity of water to Simonstown; and, even it were large enough, the drawing off to Simonstown of that large quantity of water from the pipe distributing the supply to the consumers in Kalk Bay would reduce the pressure and lead to constant complaints.

12955. Your idea is to bring a separate pipe to Simonstown so that Simonstown should have its independent supply?—Yes. It should have quite an independent supply from the existing Kalk Bay reservoir, or from some point a little further down the stream.

12956. Is that the maximum of the possible storage in that neighbourhood?—No, I would not say that, Mr. Chairman, because my observations have not been so complete as I should like them to be.

12957. Then when you speak about the 140,000,000 gallons, is that the capacity of the storage reservoir which you propose to build and beyond which you could not raise the present wall?—No; the present wall happens to be designed, being a very small wall, to admit of the building of another dam inside it, so that the portion already built would form part of a higher wall. I do not say that 140,000,000 gallons is the total amount of water that flows off.

12958. No; but is it the total amount that you can store by the building of the necessary works there?—Yes; the idea is to put a dam there capable of impounding 140,000,000 gallons of water.

12959. And a higher wall could not be built on that?—Oh yes, if it is designed, in the first place, to carry a higher wall.

12960. You mean a new start?—Oh, yes; and then you could build to any height you wish.

12961. Then, in this case, it is only a question of raising the wall and you could store, say, 250,000,000 gallons, as the water is there?—Yes, and I may also mention, in this connection, that, even if there is not enough water in the Silver Mine catchment area, there is nothing to prevent another catchment area, which at present discharges through Tokai, being led into it. The point has not been worked out, but I should say that you can get double the quantity of water there.

12962. Would you regard it in this way: that the wants of Kalk Bay and Simonstown could be provided for from that area without considering any larger scheme?—Amply, for any possible estimate of their requirements that they are justified in making.

12963. Now, in order to obtain an adequate supply of water for Cape Town and the Peninsula, as a whole, do you think we will be obliged to go outside the Peninsula area?—I consider that it is merely a matter of time when you will have to go across the Cape Flats for another water supply.

12964. And that time is nearer at hand for the suburbs than for the city?—Yes.

12965. And is it your idea that one supply could be made available, both for the suburbs and for the city?—Well, that is a somewhat difficult point, but from an engineering point of view, there is no difficulty whatever in bringing in a sufficient supply both for the city and the suburbs, and to bring it in so that it can be discharged at such points as will supply the city and the suburbs. But, I would say, that, even if it were impossible for Cape Town and the suburbs to combine for this purpose, I think Cape Town would be amply justified, having regard to its future needs, to seek a large source of supply for itself.

12966. For itself?—Yes. It is purely a matter of time until Cape Town will require a large quantity of water.

12967. It is a fundamental principle with engineers, is it not, to anticipate an increased demand rather than just to provide for the wants for the time being?—That has been the whole difficulty with the various Water Works in the Peninsula; provision has not been made for more than a year or two in advance, and it could not be made because the money could not be raised, as the consent of the ratepayers could not be obtained. It has been a race really between the supply of water and the demand, and in some seasons, when the dry time has been prolonged, there has been a mild scare, similar to that which occurred last summer, which was perfectly unjustifiable in the case of Cape Town. On that point there is another question which should not be forgotten,

and that is, that the bigger your community is the larger your surplus in hand at the end of the dry season should be. Up to the present, we have run it too close. There is no doubt that that is an important point that has not been appreciated quite as much as it ought to have been. Then, while on this subject, I should like to mention, Mr. Chairman, that it seems to me that before you design any large scheme or water supply you must make up your mind as to what you are going to do in connection with the supply of water to gardens in the suburbs, because in the summer time that means a considerable amount. It does not, however, apply so much to Cape Town. But if you, as a community, are going to carry out a large water scheme you will have to face the question of whether you are going to supply water for domestic purposes, and at the same time supply water for a mild form of irrigation, because that is the long and the short of it. For the purely domestic supply of the place, I believe, the existing supply would be sufficient for many years to come.

12968. There is a great demand on the part of the ratepayers, is there not, for such an increased supply for garden purposes, or, as you call it, for a mild form of irrigation, so that a scheme which did not supply water for garden purposes would not be very popular?—As regards the suburbs, I think that must be confessed, and the idea is that the more water we give for garden purposes the quicker buildings go up, and the sooner the town becomes worth living in. I know that that is an opinion held by various Municipal Councillors.

12969. The immediate sale of the available water is what Municipal authorities are tempted to effect?—Yes, they say, and sometimes they say rightly, perhaps, why should they keep the water when they have an opportunity of selling it?

12970. Now, have you anything to tell the Commission as to the districts from which a suitable supply of water for the city and suburbs could be obtained?—Well, Mr. Chairman, I don't think there is any doubt whatever that the range of mountains extending from Hottentots Holland to near Tulbagh Kloof contains a number of sources from which an ample supply could be obtained for the future; not only for the future requirements of Cape Town, but of the Cape Peninsula as a whole. In fact, I might go as far as to say that I am certain that there are areas of from 40 to 60 square miles which will yield from 20,000,000 gallons to 30,000,000 gallons a day, at a sufficient height to enable it to be brought into Cape Town. I am acquainted, personally, with various of those sources in the range which I have named. There is the Steenbras River catchment area; the Palmiet River catchment area; the Witte River catchment area; above Wellington, the Du Toit's Kloof catchment area, and the Oliphant's Hoek catchment area, which, however, I don't know much of as regards its water supply capacity. I have no personal knowledge of it. Then further afield there is the Breede River, at Ceres, where an excellent storage reservoir could be constructed, but that would involve the removal of the town of Ceres. Then there is the Twenty-Four Rivers scheme, which I don't know much of from personal knowledge, but which I think may be put on one side at once, because it is at too considerable a distance from Cape Town. I might say, however, that this drawback also applies to the Breede River at Ceres. In considering these schemes it is well to bear in mind that for the supply which I have in mind, and which I recommended more than a year ago, of 10,000,000 gallons per day, the laying of the pipe line will cost about £25,000 a mile.

12971. Yes, but the nearest of these schemes would be about 40 or 50 miles?—I consider that you might get a suitable scheme within 50 miles of Cape Town, and in my opinion it is quite unnecessary to go to such places as either the Breede River or the Twenty-Four Rivers.

12972. Would not the question of what you could do with the water *en route* be an element in that respect?—I don't think that I would consider the giving of a water supply *en route* as of any consequence whatever. The supply of water required *en route* is, so far as I know, very limited, as compared with what is required in Cape Town and the Peninsula; and I am inclined to think that you would get a better price for your water in the Peninsula than you would get from the smaller communities. For some years, at least, they have their local supplies with which they seem to be contented; but, of course, it may be that they would apply for water from the larger scheme. If so, I see no reason why they should not get it, but I know of no town *en route* which should be considered as a factor in determining the source of water supply, or the route of a line of pipes for the supply, of the Peninsula. We had it in evidence from the Railway Department that they would like to get a certain quantity of water but, as a matter of fact, they don't want very much. There would be no advantage in laying the pipes alongside the railway solely for the purpose of supplying the railway. In fact, I am inclined to doubt, from an engineering point of view, whether the railway really offers the best route, and I am of opinion that, if the pipe is of a considerable size, and it is laid close to the railway line—which would mean, I suppose, laying it

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inside the fence of the railway property—it would not be altogether a wise thing, because if that pipe were to burst with a head of 500 feet on it there would not be much left of the railway.

12973. But even in any of the other directions there might be some such risk?—Yes, you must take that risk, of course, everywhere, but the risk to the railway line is rather a serious one.

12974. Now, would it be necessary, do you think, Mr. Stewart, from your experience, to combine two or three of these sources of supply, bearing in view some of the difficulties pointed out to the Commission by Mr. Schreiner and also some of the other witnesses in that we may not be able, under the most advantageous circumstances, to bring the whole of the water from any one possible source of supply to the Peninsula, and for that reason we may be obliged to combine?—The first point, Mr. Chairman, about which we would have to make up our minds seems to be the question of what quantity of water we will require to bring in per day.

12975. Well, you say yourself that the city ought to have a supply of 10,000,000 gallons per diem, that is an estimate exclusive of the wants of the suburbs?—I don't quite put it in that way. I rather put it that it is undesirable, at this time of day, to go 40 or 50 miles for a supply of water which would be less than 10,000,000 gallons a day. Cape Town has no immediate requirements for 10,000,000 gallons a day, but it will ultimately, doubtless, require that quantity.

12976. Then, do I understand you to mean that, from your knowledge and from the information you have before you, you would not recommend a scheme for bringing a larger supply than 10,000,000 gallons per day for the whole Peninsula?—I consider that whatever source is acquired ought to be capable of yielding very much more than 10,000,000 gallons a day, and I should say, as a rough guess, that we should not adopt any source or sources which cannot ultimately supply 40,000,000 gallons a day.

12977. You mean any one source?—Yes, or you might include an adjoining source. I say source or sources, but it would be quite out of the question from an economical point of view to lay down works for the purpose of bringing in all that quantity at once, because there is no sale for the water, and, if the works were constructed, the community would be saddled with the interest on an outlay which is unnecessary. One thing, which I suppose is more or less a detail, has weighed with me in saying 10,000,000 gallons, and that is that 10,000,000 gallons is just about the quantity of water which a 36 inch main, under certain conditions, will carry. I am inclined to think that a 36 inch main is probably the maximum size which it is desirable to lay across the Flats under that pressure. When the demand increases, say beyond 10,000,000 gallons, there would be no difficulty in duplicating the pipe as has been done in the case of Glasgow, Manchester and almost every place having large works. As a matter of fact, in the case of Glasgow, the city went to Loch Katrine for a supply of 50,000,000 gallons per day. They made their works and tunnels big enough to carry 50,000,000 gallons a day, but they did not lay their pipes to carry more than a certain proportion of that quantity, so that they distributed their expenditure over a very large number of years, and some 20 years ago, when they decided to duplicate the works, it was resolved that the expenditure should be spread over a large number of years. When I was in England about a year ago, I saw these works which they had just finished. Manchester, practically, did the same and laid down one line of pipes, but it was not many years before they discovered that they wanted another.

12978. Now, Mr. Stewart, you heard the evidence given by Mr. Schreiner, yesterday. What bearing on the question of water rights, if any, does that evidence have upon some or all of the sources of supply that you have in view? Does that apply equally to all, or more to some than to others?—There is a bearing on all, as I explained to the Commission at a very early stage of its sittings, but the degree of that bearing varies in different cases. There are cases where, I take it, it would be easier to secure the water rights and sources of supply than in other cases.

12979. And that might affect the question of cost, might it not? If you can secure the water rights at a cheaper figure in one place then you might be compensated in that way for expense of distance?—It may be so. But it is impossible with the information available at present to compare the relative cost of any of the schemes. We could compare the relative cost of the works, in one or two instances, but that is only one of the factors. The cost of acquiring the source is most important.

12980. How do you propose, Mr. Stewart, that the Commission should set about that, because you see we have to report on the matter of cost?—Well, I don't think that the Commission, with the information before it, could possibly report on the question of cost, except with a very large margin. The acquisition of sources of supply, especially when the sources are large as these are, is a somewhat prolonged affair. We have to find out what every owner of land wants, and we have to secure rights of way

for the pipeline, but, of course, the latter is a very small matter, comparatively speaking.

12981. Do you advise that the Commission should do anything in the way of ascertaining the claims of the owners in any of these areas?—It does not appear to me that it is intended that the Commission should earmark a particular scheme. It might be that the reference to the Commission bears that complexion, but having regard to the multitude of things that have to be done, I may state that it seems to me that the responsibility for the selection of the site should be placed on the shoulders of the body—call it Board of Works, Local Council or whatever you like—which might be entrusted with the carrying out of the work.

12982. Would that absolutely preclude all necessity on the part of this Commission, for supplying some estimate of the cost of any scheme and, from that point of view, the most likely scheme?—I don't know that it is a point for the Commission.

12983. If we cannot do that, then we pretty much leave the matter where it was before starting this enquiry?—Well, that, of course, is a matter for the Commission itself to decide. I am only giving my individual opinion, as an engineer and as engineering expert on the Commission, on the question of the sources of water supply. I say, that until we have sufficient information to enable us to say that a scheme or certain schemes will be sufficient for the Peninsula, especially seeing that we don't have sufficient information even from an engineering point of view, we cannot give a very exact statement of the maximum capacity of a scheme. We have not, as I have pointed out before in connection with the Table Mountain reservoir, sufficient information to enable us to judge of the equalising power of any reservoir. Because there is no question whatever that we can only get water by storing it.

12984. From that point of view, would it not be possible to arrive at a more or less closely approximate estimate of what any area of known dimensions would be capable of supplying? Take any of the areas you have studied, extending, say, 25, 30 or 40 square miles, you must know, within some reasonable bounds, the rainfall there; and that being so, would you not be able to estimate approximately the run off? And in that way could we not then get at some approximate idea of its capabilities as a source of supply?—Undoubtedly. I am quite prepared to tell the Commission what I think that certain areas will yield.

12985. A certain area?—Yes; but in connection with that, I would again refer to the rainfall on Table Mountain, where, taking the Disa Head gauge, which gave 35 inches in the year 1894, and the gauge put up by me, subsequently, within 200 yards of that, gave 10 inches more.

12986. *Dr. Gregory.*] But that is only an argument for multiplying your rain gauges and not for the time during which your rain gauges should be registering?—That, of course, shews that in a large area you should have a larger number of rain gauges. But to shew the advisability of having them spread over a certain period I would particularly draw attention to the fact that for June of this year we have had 20 inches of rainfall at the Dam gauge, while last year in June we had only 3·29. The question of deducing from places the amount of their rainfall is one of the most ticklish questions which an engineer has to face, and I say very clearly that while I should have done the whole thing in five minutes, when I came out to this country, I should not perhaps like to do the same in five years now.

12987. Do you then consider, Mr. Stewart, that no really reliable opinion can be based on two years' readings of rainfalls and the flow-offs?—Not as regards the maximum capacity of your scheme, nor even as regards the minimum capacity, but you can judge approximately, in lesser time than that, whether it is worth adopting the scheme or not.

12988. But you said just now that two years hence the Commission would not be in a better position to come to a decision?—Yes, as regards either maximum or minimum run-off.

12989. But the Commission would be in a position to say what is the best suitable scheme, and that is all we have to advise on?—I think it might be able to do that in a shorter time by applying certain results which we have already got. For example, I have pointed out what Table Mountain yields, but we have a more appropriate case in the Steenbras River area, the statistics of which have been handed in, and these would enable us to get at something. But, as I said before, while you arrive at the approximate capacity of a scheme you should make fairly sure of its maximum capacity and particularly of its minimum capacity. My point is, that if you have time, and I consider we have time for these observations to be taken, they ought to be taken before you pin yourselves to a particular scheme. If, as has happened in the Peninsula, time has not been available, and where it has been of more importance to secure a water supply for the town than to get careful statistics as regards its maximum and minimum capacity, then, of course, you are perfectly justified, in my opinion, in going in for a scheme on somewhat less information than otherwise.

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12990. But is not that same condition of things rapidly arising in regard to the Peninsula?—It is arising, but I don't consider it is arising so fast as to prohibit the taking of observations for that period. I am perfectly certain that it will take a considerable period of time to get the machinery into force for acquiring any source of supply, or rather for ascertaining whether any source can be got.

12991. *Chairman.*] But now you have given an opinion that along a certain mountainous area there are possible sources of supply; and I take it that you must have founded that opinion upon some average condition of the rainfall there?—Oh, yes, I am perfectly well aware from my own observations, what can be got approixmately.

12992. Is that based upon the average rainfall there, or upon observations made by yourself?—Upon my observations for a certain number of years, but when I say that, I am not prepared, as I said before, to state the maximum capacity of any one of these schemes as against the other, nor even the minimum capacity.

12993. *Dr. Gregory.*] But nothing can be done in regard to these water schemes with reference to any definite opinion as to which should be finally adopted, in your opinion, until observations have been taken?—I think, you should, at least, make observations through two dry seasons.

12994. That is practically a year and a half?—Yes, but it depends on when you start. It might be that the information which you would get, would enable you to do it sooner, but I think two dry seasons may be relied upon.

12995. Then, having selected your scheme, how long would it take to obtain the necessary power to carry it out?—That I cannot say. You must go to Parliament, if there is a Parliament, and it may be that you will meet there with considerable opposition, because it is not at all unknown, in connection with waterworks, to have your Bill thrown out, year after year.

12996. Presuming there is no considerable opposition to beat down, especially as regards the rights to be acquired with regard to the source of the water supply, how long, in your opinion, do you think it would take to get the necessary power?—That would entirely depend upon the legislative machinery.

12997. Would it be sufficient to say less than a year?—Yes, if there is no opposition whatever.

12998. And then, having got the powers to carry out the scheme, how long would it take before the work is complete and in working order?—That again depends to a certain extent on the scheme that you select. But, taking it as a matter of experience in this country and elsewhere, it is found that no scheme of a considerable size can be contructed in much less than from three to five years.

12999. So that, one would have to reckon from five to seven years?—In my opinion, that is about the case.

13000. That is to say, if we started to-day it would take that time before the scheme would be in operation?—Yes; but you might considerably augment your supply before that time has expired, because whatever source you go to will be able to yield you water without storage. But, of course, not 10,000,000 gallons a day in the dry season. Therefore, having constructed your pipe line, you will be able to augment to a certain extent your water supply before you have finished your reservoir works, as a certain quantity could be taken direct from the stream.

13001. How long will the pipe line take?—That entirely depends on how quickly the iron founders in Great Britain choose to supply you with pipes. If they supply you under contract, I should say it would take from two to three years.

13002. Then you could not hope to get any instalment of the supply before four years have expired?—I scarcely think so.

13003. But meanwhile, what is going to happen, as regards the water supply of the Peninsula, during that four years?—Well, all I can say is that they will have to take a little less water, that is all.

13004. Then, with regard to the source of supply mentioned by Mr. Vollmer in his evidence, and which you consider worth thinking about, is that the Orange Kloof catchment area?—It is the portion of the Orange Kloof catchment area which is not utilised at the present time by the Wynberg Municipality.

13005. The evidence that you heard about it was to the effect that the supply amounted to about 2,000,000 gallons per diem?—That is, if the amount of water which flows off there is stored, then it is capable of yielding close upon 2,500,000 gallons per day.

13006. Would it not be advisable to take some steps to impound and distribute that water?—I think, it would be advisable, because the water is simply running to waste at the present time.

13007. In what number of years, in your opinion, could that be brought into use?—I think that would be a matter of from 2 to 2½ years.

13008. So that, if the water supply of the immediate future of the Peninsula is a matter of urgency, would you advise that that should be taken in hand with the view to augmenting the supply, preparatory to getting the larger scheme through?—That is a matter of policy for the Wynberg Municipality to whom I am engineer. Of course, it is perfectly clear to you from my evidence that the water is available, but it is rather difficult for me to recommend that Wynberg should give up that source of water supply if they don't care to do so.

13009. But putting that aspect of the question aside altogether and, as an independent opinion and looking at the needs of the Peninsula as a whole, would you be prepared to say that in your opinion available water should be brought into the general supply?—I consider that, unless the Peninsula is prepared to put up with a short supply, it is desirable to utilise the water from that source.

13010. What do you call a short supply?—Well, I mean a supply deducting the quantity for gardens, that is to say a supply which would be equivalent to from 15 to 20 gallons per day, per head, which is really ample for an undrained community.

13011. And provided that every member got his share?—Yes.

13012. But, when you are on short commons like that, it is difficult to arrange?—It ought not to be difficult to arrange, but, of course, it is impossible, if it is done under what is called the dribble system.

13013. Moreover, from what you say in regard to undrained area, do you mean that, if everything is deferred until you get a main scheme into working order, the question of drainage schemes would have to be held in abeyance?—I don't say that, but it would be impossible to work a drainage scheme even if it were completed, until you have got a bigger water supply. There is no reason, however, why the construction of a drainage scheme should not be proceeded with, although it could not be utilised before you have your water scheme.

13014. If a drainage scheme were undertaken and there were plenty of water, it could be utilised, as you go along, in a very large measure, could it not?—O, yes; portions of it could be utilised.

13015. What would be the approximate cost, in your opinion, of bringing into use the Orange Kloof water supply?—I have not gone into that very closely. The site suggested for an embankment ought to be very carefully examined first, because the ground may be soft to some considerable depth, and, in fact, that seems to be the case. As a matter of fact, I would rather not give an opinion, or an estimate of the cost at the present time, but I might be able to do so later on.

13016. Would you say, approximately, what would be the minimum and the maximum cost?—I think, it would be necessary to make up one's mind to spend somewhere about £400,000. It is not a cheap scheme.

13017. *Chairman.*] Are there any engineering difficulties in bringing the pipes from the Orange Kloof area in the direction of Cape Town, or Woodstock, or the suburbs?—No.

13018. Any tunnelling?—Yes; but I don't regard the tunnelling as a difficulty I might say, in further answer to Dr. Gregory, that there is an alternative plan by which the capital expenditure could be considerably less but the cost of the water would be somewhat more. Seeing that one is in a hole, it might be a desirable thing to adopt that measure, and that is pumping instead of other works. It would effect a great saving, but how much I could not say at the present time, in the initial cost. I should say it would reduce it by about one-half.

13019. That is, pumping from where?—From the reservoir to the top of Constantia Nek. I may say that I do not recommend that method of dealing with the water supply there, but it is an alternative, which might be thought of if the better thing is not available.

13020. *Dr. Gregory.*] And you would get your supply into use much quicker in that way?—A certain quantity of it but not the whole, because until you have built your reservoir to its proper height, you could not get 2,500,000 gallons. But it is a matter of not more than about seven or eight months to increase your water by 500,000 gallons a day by pumping. Of course, that is simply a rough estimate.

13021. You mentioned that gardens take a good deal of water in the summer time. How far, in an area, such as the suburban Municipalities form, does the watering of gardens in the summer time represent the population living in the area? I don't know whether you follow me?—Yes, I follow you. I cannot say for that area served by the District Water Works Company, but there are statistics supplied from Wynberg from which it appears that they use almost double the quantity in the Summer time that they do in the Winter. How much of that may go to gardens or may be used for extra baths one has no means of knowing.

13022. But what I mean is this: that up to a certain point any increase of population would be balanced by the diminution in the garden use, would it not?—No. Of

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course, in a town like Wynberg or Clarement, I take it that you have a class of building where a garden is an essential, and, for the matter of that, it applies to Rondebosch as well. I know, from statements made to me, that men have left Mowbray to go and live in Wynberg, because they could not get water for their gardens at Mowbray, which shows that it is an important point in a town like Wynberg to have water for gardens.

13023. You don't know what proportion of water is used for gardens in Cape Town?—No, but I don't think it is a large proportion.

13024 You stated that you would estimate, roughly, that £25,000 would be the cost per mile of making your pipe line, and that would represent an expenditure of about £1,250,000 for your pipe line in any principal scheme that is undertaken?—Yes, I don't think that you are likely to bring in 10,000,000 gallons per diem for much less than £1,500,000.

13025. And what would be the probable cost of your impounding works?—I have not the least idea what they would cost.

13026. But it would not be safe to put them down at less than what figure?—I would not attempt to give an estimate of them at present.

13027. You stated that you did not think that the question of supplying any towns *en route* should be considered in deciding upon any particular scheme, but supposing your pipe line came anywhere from the direction of Sir Lowry's Pass, would not the question of supplying Somerset West and Somerset Strand be one which might be taken into consideration?—I don't think that it would weigh, as regards the advisability of constructing the scheme or deviating your pipe for the purpose. I don't mean by that to say that you would not be prepared to give them water, but I do say that they ought not to be considered as in any way affecting the design of the works.

13028. But, presuming that the pipe line came through that direction, then should we not assume that possibly 1,000,000 gallons a day will, in the future, be required to supply those places?—It may be, in the future. An increase could be dealt with in the event of the duplication of the work. It would simply mean that if they wanted 250,000 gallons a day, in the first instance, you would supply them from your 10,000,000 gallons and deal with any increase when you duplicated your pipes.

13029. In bringing the water into the Peninsula, would you come in at Woodstock, or near by there, or would you come straight across the Flats into Wynberg?—From the knowledge I have, I would not come to Wynberg. The best line to serve the Peninsula, I think, is the latter part of the pipe line shewn for the Stenbras River scheme, that is to say, it will pass near D'Urban Road and come in near Rondebosch as shewn on the plan. That is quite regardless as to whether the supply is brought from Wellington or from any other source.

13030. The question of the estimate of the probable cost is of very great importance, is it not?—Undoubtedly.

13031. Now can you give the Commission any information which would tend to clear up—I feel I am rather on delicate ground here—the general idea which I think is prevalent, to the effect that some of your estimates have proved to be considerably under the actual amount which was ultimately expended on carrying out the works?—Well, I suppose, you refer particularly to the Table Mountain Reservoir?

13032. I refer rather to a considerable number of them?—No; the Wynberg ones, except in one case, have been under the estimate. In the first place, one of the things that make for additional cost is the anxiety manifested by some of the Municipalities for getting a supply of water while the works are in progress. That is particularly applicable to the Woodhead Reservoir. Then there is the hesitation which a good many public bodies have of spending money on preliminary investigations, and the consequence is, that the Council, as the public body to carry out these works, leaves us in the position of doing the best we can under the circumstances. And, as regards that, it is always in the case of reservoir construction an extremely difficult matter to tell what is under the ground, even when you have sunk trial pits. For instance, in the case of the Table Mountain Reservoir, now under construction, we had sunk some pits when we decided about the site; but, as I said before, the Town Council threw out the consideration of it for a year. When the work was re-started there was no time because Sir John Woodhead was particularly anxious to proceed with the work without any further delay, so as to bring the reservoir into play as soon as possible. Then there is another reason: I very much doubt whether any reservoir could be estimated closely to the actual cost, unless you have really taken out the whole of your excavations in the first instance; but it means a tremendous cost to do that. As regards the reservoir now under construction, there was nothing easier for me than to have estimated the cost at £250,000; that would have been of considerable advantage to me, because I should have had double fees for the plans. But after all, in estimating the

cost of works, one naturally tries to get as near as possible at the probable cost, not an excessive amount for circumstances which you know nothing of. I am perfectly certain that there would have been no difficulty, had it not been for the piece of bad rock which we were bound to take out. The foundations must be of undoubted reliability. It so happened that 10 feet away from that bad rock we had a pit put down on absolutely solid rock on which we have built. But even if we had found this bad piece, in the first instance, which we were unfortunate enough to miss, it would not have made any difference in the construction of the reservoir, so far as the cost is concerned, so that the ratepayers are not any worse off in regard to the additional cost.

13033. But, as a practical point, you would advise the Commission, would you not, to take a very liberal estimate of the probable cost of any scheme?—I should say, first make your examinations thoroughly complete and get data beyond any question; there is time in my opinion to get that. After that, the works may be estimated fairly closely, but it is absolutely impossible to closely estimate the cost of a storage reservoir, until you get out the whole of your excavations. I will give you a case in point, and I may say, I am in very good company in this respect. The Birmingham Water Works were estimated to cost some millions, but when it was finished the cost had increased by 100 per cent., notwithstanding all the precautions taken; and moreover, that is at a place where you have the best people available, such as expert geologists, who examined the ground, and so on.

13034. But, as a practical point, the shorter and the better way is, is it not, to make a liberal estimate and not to waste time in going closely into details which might be wrong?—Well, you must always make a preliminary estimate without a complete investigation, no doubt, because you cannot wait for that. If you take it from the point of view of an engineer who is paid by percentage, I should say make your liberal estimate in the first instance, and pay your engineer on the estimate.

13035. You have a knowledge of the Oliphant's Hoek scheme, have you not?—Not as a source of water supply, except in so far as I have seen references in the newspapers, and in so far as the evidence before this Commission extended. I know the district, but I am not prepared to say anything upon the water supply.

13036. But from your general knowledge of water supplies and of the district and of the information that has been tendered to this Commission, are you of opinion that it is a scheme that could be carried out for anything like the amount which its projecters imagine?—Well, I don't think that it is quite incumbent on me to give an opinion to this Commission on estimates and plans of other engineers, but I am prepared to state, as the engineering expert on the Commission, that the information submitted to us is not sufficient to enable us to judge of the cost.

13037. *Chairman.*] Or expediency?—Well, as to expediency, it is probably expedient for Woodstock. I doubt whether a permanent scheme could be carried out for the amount Woodstock anticipates.

13038. *Dr. Gregory.*] But, from your general knowledge, would you expect that a working scheme could be carried out for the amount?—I doubt it.

13039. *Chairman.*] May I just ask if the river in question rises in that range of mountains that you have indicated, as likely sources of supply, in the earlier part of your evidence?—Yes, that is so, and I have no hesitation in saying that the run-off from the catchment area of the Oliphant's Hoek property is very large, larger than its advocates have laid before the Commission. I mean that I think there is more information available to show that the scheme is a better water supply than the information afforded to this Commission.

13040. *Dr. Gregory.*] The tendency of the whole of your evidence, Mr. Stewart, appears to me to point to the fact that any reasonable scheme for the Peninsula will be of such magnitude that it should not, and could not well, be undertaken by any one of the local bodies alone?—Yes, with the exception of Cape Town.

13041. But, even with that exception, it would probably be able to be carried through more advantageously, under a combined authority for the whole Peninsula, would it not?—Well, I would not say that. The Corporation of Cape Town have been for some years back shewing a very lively appreciation of the necessity for a large and adequate water supply. And they have regarded it from a considerably wider point of view than they did in 1892, for instance, when, as I pointed out before, they voted a sum of £50,000 for a water scheme.

13042. But, in any case, the scheme is likely to cost about £2,000,000?—I don't say it is likely to cost that, but I don't think you could expect to get it done for less than £1,500,000, on the scale which I have stated, but it depends a great deal on the exact source which you select.

13043. *Chairman.*] That is the cost of your pipe line alone, is it not?—Yes, but you might get a very cheap site for a reservoir, say for about £90,000 perhaps.

13044. *Dr. Gregory.*] It would not cost less than £1,500,000?—I think not.

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13045. And is that sum, in your opinion, not such a very large amount that even a body like Cape Town could not undertake it, by itself?—It is a very large amount, certainly, but I will not say that Cape Town is not quite capable of carrying it out. Any how, I consider that it is desirable that any large scheme carried out should be undertaken for the advantage of the suburbs, as well as for Cape Town, in the first instance. From an economical point of view, it is most desirable.

13046. But now, from your very wide knowledge of all the present water works in the Cape Peninsula, at any rate, say as far as Wynberg, if not including Kalk Bay, are you not of opinion that, quite apart from depending on a scheme of augmentation which shall supply the whole of the Peninsula, all these works should be amalgamated and brought under one administration?—I think it is desirable, excluding Cape Town, that there should be one administration for a water works scheme, because I cannot help seeing that there is, occasionally, a want of experience displayed in the actual conducting of the works, after they have been constructed, that is to say, in the distribution of the water.

13047. And one combined administration would be cheaper than all these small administrations?—Undoubtedly And you would have one set of regulations instead of having these different sets of regulations, which, from my point of view, is a very important matter indeed.

13048. And there would be less liability for one area to be having a surfeit of water and other areas to be on short commons again?—Oh, yes; and if there was one Board to deal with the supply they might make some arrangements whereby one body could help the other.

13049. But now, why do you exclude Cape Town from a combined administration?—Well, I don't exclude Cape Town entirely, but I don't think it is necessary, in the case of Cape Town, to combine with the others, because Cape Town is fairly big in itself and it has its own administration. But it must be understood that I am only speaking on my own responsibility.

13050. But it would be an advantage, from an administrative point of view, to include the whole, would it not?—I repeat again, what I stated before: that if you go outside the Peninsula for a large supply, there ought to be one supply, and that supply ought to be managed by one body. At any rate, I should say, until the water passed into the service reservoirs, after which it might be an arguable matter; but broadly speaking, there ought to be one Board to deal with the principal supply.

13051. And, although it is arguable that it might be dealt with in a different manner after it has reached the service reservoir, still you would be inclined to say, would you not, that probably it would be better, if it were all under one administration, from the time of collection to the time of distribution?—I am inclined to think that it would but, I say again what I stated before, that the administration of Cape Town in respect of its water supply has been fairly complete for some time back. I don't think that any harm would result, however, by Cape Town coming under one administration.

13052. And good might result?—Oh, yes; and great good would result if that terrible dribble system could be abolished.

13053. *Mr. Gurney.*] You spoke just now of the shortfall in water that was likely to come before any relief could be given, and you spoke of the watering of gardens paying the penalty. Do you, in that, refer to a shortfall, as regards Cape Town also, or only the Suburban Municipalities?—I have no fear of a shortfall, as regards Cape Town.

13054. Then have you a fear as regards Wynberg?—Wynberg may with a pinch get along until it will have completed the extension of its additional reservoir, now in progress.

13055. But when that is completed?—Then Wynberg would be able to do for a year or two.

13056. So that really the pinch would fall on the other Suburban Municipalities?—Yes.

13057. And is that likely to be a difficulty, in any proposal for amalgamation, namely, owing to the fact that these Municipalities which are threatened with a water famine and who would consequently be ready to come in with those who have the water will naturally not be welcomed by those who don't want to give up what they appreciate the value of?—Yes; I scarcely think that you will find the Municipalities with plenty of water keen on coming into an amalgamation, if it involved their giving up supplies which they have plenty of.

13058. Going into the question of water for gardening, Mr. Stewart, as a matter of fact, what demand that would ultimately amount to has scarcely been gauged now, from the point of view that hitherto the suburban residents have not had all that they would have liked to have had for their gardens in the dry weather?—I think, with

the exception of a week or two during this last season, that they did have what they wanted for most years. Of course, I distinguish those parts of Wynberg where they had not been getting a sufficient supply of water, but that is not the fault of the source.

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13059. I mean from this point of view: is it not because, hitherto, well-disposed people have exercised a certain amount of economy in watering their gardens, which economy they would gladly do away with, if they knew there was an ample supply?—That is not within my experience.

13060. Given that there is an ample supply, then one might be surprised to find what an immense quantity of water they would be prepared to take and pay for?—That is to say, if you could tell these people that they could have as much water as they would be prepared to pay for?—I am perfectly of opinion that with an unlimited supply your consumption would be largely increased, but that is the experience in every town, and it would not be peculiar to Cape Town and the suburbs. In that connection, I might mention that the Wynberg works, as originally designed, were designed for the supply of water for domestic purposes only, but, no sooner was the water in Wynberg than it was taken for the use of gardens also. And I think the shortfalls, which they have had in the water supply in Wynberg for domestic purposes, were entirely due to their lavishness.

13061. But, I dare say you are aware that the inhabitants of Wynberg and of the other Municipalities also, I think, in order to get a good supply of water for their gardens, would be quite prepared to pay very much higher rates, than they are paying at the present time for an abundant supply, so that the difficulty is not one of the ratepayers not being prepared to pay?—I am not so sure what the feeling is now, but I may mention that when I drew up the original regulations and tariff of charges for Wynberg there were large landed proprietors who took objections to the charge at that time, and, I think there was a case in the Supreme Court where it was stated that they had not seen regulations before, which made provision for a higher rate of payment for the larger quantity. I don't know what the feeling is in Wynberg to-day. It may be that they have experienced the advantage of a large supply of water and the joys of a lovely garden and that, therefore, they are prepared to pay more for it.

13062. Then again, in such a suburb as Wynberg, the building of new houses really means the making of more gardens and consequently a larger supply of water for the purpose?—That is so.

13063. As a rule the ground used for the building of a new house had not been watered previous to the building being erected, but the moment the house is built water is used for the garden?—Yes, the water supply of Wynberg in the summer time is largely a matter of irrigation, at present.

13064. Many people, you are aware, would like to have it run day and night?—When they have not got a meter, they do let it run day and night.

FRIDAY, 20TH JUNE, 1902.

Present:

Sir W. BISSET BERRY (*Chairman*).

Dr. A. J. GREGORY.	Mr. T. STEWART.
Mr. W. E. GURNEY.	Mr. J. E. R. DE VILLIERS.
Dr. A. J. ANDERSON.	

Mr. Ludwig Wiener examined.

13065. *Chairman*]. You are Chairman of the Harbour Board, at one time you were a member of the House of Assembly, you are a ratepayer in the Municipality of Claremont, and you have for a long time been resident in these parts?—That is so.

Mr. *Ludwig Wiener.* 20th June, 1902.

13066. You appear to give evidence as Chairman of the Harbour Board, and also in your capacity as a private ratepayer in the Municipality of Claremont?—Yes.

13067. Taking Harbour Board matters first: I believe that you receive your water supply from the Cape Town Corporation?—We do.

13068. Are the arrangements for supplying water for Dock purposes of a satisfactory character?—Well, the Town Council have always considered it their

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imperative duty to supply us with all the water that we want, and for a number of years the charge made to us for shipping purposes was reasonable and very much lower than the charge which they have been making to us during the last couple of years. Within that time they have raised the rate of charge very considerably, and they based their increased charge upon the fact that we were making a profit out of the water which they supplied to us. I may say that that profit is more apparent than real, because we have to pay for the whole service within the Docks, and to keep the whole of the pipes and reservoir and apparatus generally in good order. I may mention for your information that the money paid last year to the Council for water supplied for shipping and other purposes by the Harbour Board was in round figures £24,000.

13069. Was that for the total water supplied for Dock purposes?—For shipping purposes and other purposes within the Docks. I may also mention that the total revenue derived by the Town Council for water was only about £60,000.

13070. *Mr. Gurney.*] That includes the charge for water supplied to shipping in the Bay?—That is very little, quite an infinitesimal amount.

13071. *Chairman.*] But it does include that?—Yes. We have remonstrated against the heavy charge that they have been making against us. Under our Act of Parliament we have the power to lay pipes through the streets of Cape Town for Dock purposes, and thus enable us to draw our supply from elsewhere. Of course the Board is very loath to go to an extreme measure of that kind, because we have always previously received fair treatment from the Town Council. We have felt great regret that they were forced to increase the price of water supplied to us for shipping purposes so considerably.

13072. Can you give us some figures showing the difference between the present charges and those that existed some couple of years ago, before the rate was advanced?—The Town Council charge us for water at the rate of 10s. per thousand gallons. I believe that is just double what they used to charge us. In Port Elizabeth the charge for water supplied for shipping purposes is 5s. per 1,000 gallons, and at East London 10s. per 1,000 gallons. At Durban the water is supplied by a contractor who must secure it at less than the Cape Town price, because it is put on board the shipping at 10s. per 1,000 gallons. At Durban a good many of the ships take their water outside. In Cape Town the ordinary ratepayer paid last year 1s. 1d. per 1,000 gallons on the dribble system and 1s. 3d. per 1,000 gallons per meter. That shows the difference as compared to the charge to the Harbour Board of 10s. per 1,000 gallons.

13073. What does that amount to in the gross as compared with previous years?—We took 42,000,000 gallons last year for that purpose, for which, in round figures, we paid £21,000.

13074. Under the old rate of charge that would have been £11,000 or £12,000, I presume?—Yes.

13075. Have you raised your charge to the shipping in any way?—No, we have not. We have to be content with making less profit out of it.

13076. Formerly you made a little profit out of this water supply?—Yes, we made a fair profit out of it.

13077. What was your charge to the shipping some three or four years ago?—We have not raised our price. We charge them at the rate of 3s. per ton, which is at the rate of 3s. per 200 gallons, or 15s. per 1,000 gallons.

13078. So that at present you have a difference in your favour of 5s. per 1,000 gallons?—Yes, but out of that we have to keep up the whole of the service. The Cape Town Corporation only supply the water, but we have to maintain storage, hydrants, pipes, tanks and everything else.

13079. So that your complaint is that it leaves but a very small margin indeed?—The profit is very much reduced in consequence of Cape Town's increased charge.

13080. Is your water supply still a source of revenue?—Yes, but of course a very considerably reduced source.

13081. Are you taking any steps to remedy what you consider a grievance?—Up to now we have not done so. We have always been hoping that if the town will look out for water from some other source and get a more abundant supply, they will reconsider the heavy charge which they have put upon us.

13082. What was the total quantity of water which you took from Cape Town last year?—The total quantity which we used was 89,000,000 gallons. It is perhaps only fair to state that the Council make two charges. For shipping they charge this higher rate but for other purposes they charge the regular rate which is made to every ratepayer. For the 42,000,000 gallons for shipping purposes we paid £21,000, but for 44,000,000 gallons which we obtained for other purposes in connection with the machinery within the Docks, and the buildings, and the supply of the houses belonging to the Harbour Board, we only paid £2,744.

13083. Have you been approached by another body to supply water at a lower rate?—There was some communication sent to us from Woodstock and we have handed the matter over to the engineer to consider. Of course if Woodstock were to get a very large supply of water and be able to supply all that we want there would be nothing to hinder us from drawing our supply from that Municipality.

13084. That offer was probably made in anticipation of their Oliphant's Hoek scheme going through?—Yes.

13085. You are not supplied in any way by water from the Joint Water Board in charge of the Suburban Water Works?—No.

13086. Is there any other matter in connection with Harbour Board administration as affecting the Corporation that you would like to bring to our notice?—What affects the Corporation and the Harbour Board is the foreshore, but we have always worked together very amicably, that is to say, they have always readily and willingly met us in any matter, and that is why we feel very loath to do anything even in this water question.

13087. Your engineer haa explained to us that to the best of his belief the Harbour Board is opposed to the discharge of large quantities of crude sewage into Table Bay. Has that matter come before the Board in any way?—Not lately.

13088. I suppose that you will be guided by the views of your engineer in that matter?—Yes. Some years ago the Harbour Board took joint action with the Town Council in obtaining the set of the currents in Table Bay. That had reference to a possible sewage outfall. The expense of this inquiry was borne jointly by the two bodies, showing that we have always worked amicably together, and I hope we always will do so.

13089. You have already taken means to prevent the discharge of sewage from the City of Cape Town into the Bay?—Yes.

13090. *Mr. Gurney.*] The Harbour Board was making a profit on the water and is making a profit still, but some £10,000 or £11,000 of that profit has within the last couple of years been actually transferred to the ratepayers of Cape Town?—That is quite right.

13091. Is not the position of the Town Council that if the shipping is to be so highly charged, and so much profit is to be made, some of that profit shall belong to the ratepayers of Cape Town to whom the water belongs, rather than to the Harbour Board?—I daresay that is the view that the Town Council takes.

13092. Would the Town Council be prepared to reduce the rate which they charge you if a proportionate reduction was made to the shipping?—I think there was some correspondence to that effect. I believe there was a representation made that if we reduced our charge they would reconsider the position they had taken up, but nothing definite was arrived at.

13093. They have not shewn any desire to harm the Harbour Board, but rather a desire to benefit the ratepayer in preference to the Harbour Board?—I would acknowledge that.

13094. Is the Harbour Board not prepared to reduce the rate to shipping if the Town Council will reduce the rate to them?—We have such heavy expenditure on hand that we are afraid to touch anything that earns money for us just now.

13095. But if the concession corresponded to the concession made by the Town Council you would not be losing your revenue?—I do not think the concession that they intended to make was to the same extent that we were expected to make to the shipping, therefore we would have been losers.

13096. Was not the position of the Town Council this: that they were selling water to you at 5s. per 1,000 gallons and that you were charging 15s. per 1,000 gallons, and they thought they ought to have a share of the plunder?—Yes.

13097. And even now you are charging a profit of 50 per cent. on the water?—Yes, but we have to keep up the installation, which is a very heavy expenditure.

13098. Can you give us an idea of how much profit you are making on this water annually?—The engineer might give you the figures. I think he could supply you with the expenditure on the maintenance of the installation.

13099. Have you had complaints from the Shipping Companies as to the charge being excessive?—I do not think so.

13100. Do you think these charges prejudice the Port in any manner?—We have the fact before us that even Port Elizabeth, from a competing point of view, are charging 5s. as against our 10s., but really I think that our rates of water charge are lower than any other South African Port just now.

13101. Do you have complaints generally that this Port is a costly port for shipping?—I do not think so. I daresay people have got that idea, but it is not so.

13102. Have you had complaints?—Oh, yes; we have complaints certainly. People who pay charges generally complain and say that the charge is excessive. That is a general failing all over the world.

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13103. It would be to the interest of the Port to reduce the price of water, would it not?—I daresay any reduction is advisable, if it can be easily made, but whether it would bring additional shipping to the Port I cannot say. Perhaps it would add to giving the Port a good name. The lower the charges are for anything as a general principle, the better for the Port.

13104. *Dr. Anderson.*] Would you have any objection to the sanitary administration of the Docks being placed under the Corporation of Cape Town?—We have some French patent system for the treatment of sewage now in hand.

13105. I am speaking generally. Do you not think that a Port Sanitary Authority should be established the same as in most other ports and that it should be administered by the Corporation of Cape Town, I mean for the inspection of ships and the sanitary condition of the Docks generally as well as for the Harbour Board's 81 dwelling-houses?—I think we had better keep control of that ourselves and be responsible for it. I do not think that the Board would be sympathetic towards a change of that kind.

13106. What machinery have you for dealing with infectious diseases on ships?—That is not under our control, it belongs to the Government. That is quite a different department entirely. They have their own doctors and we have no control over them.

13107. You do not regard it as part of your duty?—No, it is not part of our duty. The Quarantine Laws are special laws and are not administered by us but by officers of the Government.

13108. *Dr. Gregory.*] The law specially places that duty on the Colonial Secretary, does it not?—It does.

13109. *Dr. Anderson.*] Have you no inspector for inspecting the sanitary condition of the ships as they come into port?—If there is any inspection necessary it would fall upon the Colonial Secretary, but I think that the Board would prefer it to be under their own supervision rather than that anyone else should come within the Dock area.

13110. At the present time, is any inspection of ships made?—Nothing beyond what is done through the Colonial Secretary's Department.

13111. *Mr. Stewart.*] Do you know if the Harbour Board have at any time had a hard and fast agreement with the Town Council to supply them with a certain quantity of water per day?—I do not know that there has been a hard and fast agreement as to the quantity of water which we should supply to them, but there has always been an understanding that they should always give us the quantity of water which we required. The quantity has grown so enormously of late years, as I explained just now, that there could be no hard and fast agreement as to quantity.

13112. As a Harbour Board, you have never taken any steps to be placed on a better footing than the ordinary ratepayer in Cape Town who has to take the chance of a scarcity of water, I mean considering the importance that a certain and definite supply of water is to the Harbour Board, has the Harbour Board ever attempted to enter into any hard and fast agreement as to the supply?—We have the Mayor of Cape Town *ex officio* a member of our Board and he communicates our wishes in that respect to the Town Council. He is perfectly cognisant of all that goes on.

13113. But the man may change from year to year?—Yes, but the Mayor is always a member of the Board.

13114. Do you not think it is desirable to give an idea to the Town Council as to the quantity of water that is essential, that it would be of great value that you should have some definite agreement with them?—Certainly, I think that, like everything else, it is desirable that the Harbour Board should make a forecast of their probable wants for the year, and acquaint the Town Council with that forecast.

13115. The Harbour Board are in a better position to make that forecast than the Town Council?—Certainly.

13116. Of course, as you know, during the past ten years the Town Council of Cape Town have had to bring forward certain projects for increasing the water supply of Cape Town?—Yes.

13117. And I suppose it is within your knowledge that on occasions when this has been brought before the ratepayers, there have been refusals to grant the money?—Yes.

13118. Did the Harbour Board on any of these occasions indicate officially, or take any steps whatever to assist the Town Council in getting the ratepayers to grant this money?—As ratepayers we did. I, myself, attended a meeting and spoke in support of the Town Council's proposal. I do not think that, officially, the Harbour Board did anything in the matter.

13119. *Mr. de Villiers.*] If by any other water scheme the Harbour Board could be supplied with water at a very cheap rate, say at something like 2s. 6d. per 1,000 gallons, would the Board undertake to make a substantial reduction to the shipping?—

I daresay that they would if it did not interfere too much with the profit which we derive from the water. We would certainly consider the question.

13120. If the charge was 2s. 6d. per 1,000 gallons instead of 10s per 1,000 gallons—a reduction of 7s 6d —I suppose that the Harbour Board would be prepared to make a corresponding reduction more or less?—Yes, I think so.

13121. *Chairman.*] I suppose you quite anticipate that the needs of the Harbour Board will increase in the future, or do you think that they are more likely to remain stationary?—We have had an abnormal demand for our water because of the war, but I think that for some years, even supposing that the vessels now frequenting this port in connection with the Military operations cease to come, the trade, at any rate, during the next few years, will increase and make up for that. I must say that I do not think there will be very much increase in the present demand, at any rate, for some time to come.

13122. The period of greatest demand for water for shipping purposes corresponds with the dry season in the Peninsula, does it not, I mean it takes place during the months of December, January and February?—That is so, because in those months we have generally a great rush of timber vessels. These vessels only come during the dry season and, of course, the demand for water is greater then than when they are away back in the Baltic. At present there are very few timber ships here, but I have seen as many as 25 timber vessels in together. Of course, you must not forget that the vessels which take most water are the steamers.

13123. But still the statistics show that the period of greatest demand for shipping purposes is the dry season?—That is so.

13124. Departing now from Harbour Board matters; as a ratepayer of Claremont, have you anything to bring before the notice of this Commission on any of the various matters referred to it?—I have followed with considerable interest the evidence given before the Commission. I may say I am one of those—one of the original ten —who got up a water scheme for the suburbs many years ago and we got a Bill through Parliament for the purpose. We each put down £100 for the purpose of getting that water from the Orange Kloof direction.

13125. That was the Table Mountain Water Supply Company?—We never got as far as a company, we only got the Bill. We never got beyond that stage. Our object was to supply the suburbs with water, but, unfortunately, through some error of the Parliamentary Agent who had the matter in hand, proper notice was not given to enable us to get rating powers. It was just during that time that there was a wave of anxiety to get water, and the Bill would have gone through with rating powers. Unfortunately they were not provided for; and, when the matter was in the House the Speaker ruled that we could either have our Bill without rating powers or no Bill at all. We took the Bill without rating powers, and then the hot fit amongst the people blew over and the cold fit set in. An agitation was started throughout the suburbs against any rating power being given to us. They said that they did not want any water; they could get plenty of water from their wells, and that was good enough for them. The next move in the matter was the starting of the Liesbeek Municipality—a scheme for bringing the whole of the suburbs under one Municipality. That was carried through the Parliament.

13126. That was done under the Scanlen Act?—Yes, Sir Thomas Scanlen was instrumental in getting that Bill through. Then, as our Water Company had not got rating powers, and we were anxious that water should be supplied in the suburbs, we approached the Municipality and said that they could have our Bill if they would recoup us for our original outlay. Our outlay in getting the Bill through Parliament was about £1,000, and we said that if they would give us £1,000 they could take over our Act, provided that they put it into force. Whilst these negotiations were going on there was an agitation got up to split up the Liesbeek Municipality, and it was successful. Thus for the second time the whole thing went astray, and it ultimately ended by Cape Town stepping in and taking over the water.

13127. They acquired the rights granted to this syndicate by the Bill of 1882?—Yes.

13128. What has been the position of the suburbs since that time?—The suburbs have been managed by small Municipalities, who have, no doubt, done their best; but it has not been very much. I am one of those who hold that it is a pity that the whole of the Peninsula is split up amongst all these Municipalities, and that it should be incorporated into one. All over the world, it has been the direction to amalgamate small bodies and it has answered admirably. Take Chicago; they have taken in all the suburbs around and incorporated them into one Municipality. The same was done in Berlin, in Germany, and has been done to a great extent in England. Many of the large towns there, I see, have absorbed their suburbs. They do not seem to have found any great difficulty in doing so, and I believe it has been to the advantage of all

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concerned. The trouble has been here that we have required, amongst other things, a good drainage scheme in the suburbs, but there has been no Municipality strong enough to tackle it. The same has applied in regard to water in a greater or lesser degree.

13129. Can the provisions of drainage in the suburbs be seriously undertaken by any of these small Municipalities acting for itself?—No, that is plain enough. We are all so situated that is a great pity that we have all this divided control. Take, for instance, the tramway. You have the tram road belonging to the Divisional Council and the side walks belonging to four different Municipalities, and, by-and-bye, when the time comes to take over the tramways, in about 18 or 19 years, who is going to take them over, and how are they going to work it? If it was all under one strong head there would be no difficulty.

13130. Do you think that the separatedness of these Municipalities has been the cause of delay in the carrying out of such works as a Municipality ought to provide?—I must say that the Municipalities have done their best, but it has not been enough.

13131. Do you think that the present time is a suitable one to make a movement in the direction of amalgamation?—I do not know about the present time, but, still, I think we might begin to consider it, and maybe get out a scheme of some kind.

13132. Do you think that the longer it is put off the probability is that it will be the more difficult of execution?—Certainly I do.

13133. And do you see any objection to amalgamating the whole of the Municipalities in the Peninsula?—I do not see the slightest objection.

13134. You mean from Wynberg to Sea Point?—Yes; I mean all included.

13135. You would exclude, perhaps, Kalk Bay and Simonstown as being in quite a different area?—Yes.

13136. The interests of the people living between Wynberg and Sea Point are all common interests, are they not; in fact, practically identical?—Yes, they are.

13137. And many of the residents of the suburbs carry on business in Cape Town, and have equal interests in both parts?—Yes.

13138. And it is scarcely possible to suppose that a man who has an interest in Cape Town would fight for that interest to the special prejudice of his own interest in Wynberg?—Certainly not.

13139. He would be likely to look at a matter mooted for Cape Town from the point of view as to how it would affect him in his suburban residence?—Yes; there is in all these things that which reminds me of the old German saying, "Small places, small people, small minds." I do not mean that in an offensive manner but, generally, it is a very true saying.

13140. Do you think that there would be any difficulty in getting gentlemen from the suburbs who have leisure to attend Municipal meetings in Cape Town?—As to gentlemen of leisure I have not very much faith in them. From my experience I must say it is the busy man who does the most in public affairs.

13141. Well, take the busy man who lives in Wynberg, or Newlands, and comes into Cape Town on business, do you think that such men could be found who would give their time to such a Municipality's affairs?—I think so. I have no doubt there would be. On this matter I might say that I think there should be a change in connection with the election of the Mayor. I think that the Mayor should be a gentleman who gets paid. I think it is too much to expect a man to take office as at present, and give his whole time to Municipal work. The millionaire, we know, will not undertake duties of this kind, and it is too much to expect a man who is not wealthy to give up all his time. He should really be a paid Mayor for the time being and, in the matter of his election, I think that he should not be elected as he is now elected by the Town Council. The election of Mayor should be a direct election. The objection I have to the present mode of electing the Mayor is this: that it is prearranged beforehand. Promises are made years before the actual election. One says, if you will support me this year I will support somebody next year, and, in that way you do not always get the very best men to be Mayor of the town. You may have a new Councillor who would be an excellent man for the position, but he has not much chance of becoming Mayor because of promises which have been made long before he was on the Board. Direct election would cure that most effectually.

13142. Have you anything to say with reference to the Divisional Council?—I have always looked upon that as a terrible anomaly so far as the Cape Division is concerned. Divisional Councils are good things throughout the country districts, where there is a large tract of country and a large number of farms and a few small villages, but when it comes to a place like Cape Town and suburbs, where a third of the total of the white population of the Colony reside, it seems a ridiculous thing to have a Divisional Council the same as in other divisions, because the circumstances are so entirely different. I think that, with us, every

Municipality should be responsible for its own roads. There should be a line drawn somewhere this side of Durban, and everything outside that should remain in the Divisional Council. There would be the small villages of Philadelphia and Durban Road, and there would be the agricultural section of the country. If necessary, the Municipalities could contribute, as was done many years ago, in connection with the main roads, but the Divisional Council should be absolutely eliminated from the Municipalities.

13143. You would be in favour of continuing some representative body for the rural areas?—Certainly, the same as for Stellenbosch and the other places.

13144. And you would give them any increased powers that might be necessary for sanitary purposes or such other matters as would concern the interest and welfare of the rural population?—Yes. Now there is a matter that comes home to one, shewing how detrimentally the joint control works in the suburbs. I leave the main road out of consideration for the present and take the road that goes to Protea. That is frequented daily by many, and, on holidays and Sundays by thousands, but it has not got a side walk. People have all to walk in the road itself. The Municipality takes no interest in the road because that road is vested in the Divisional Council. An offer was made to the Divisional Council of sufficient ground to form a side walk, but they replied that they were not a body for making side walks, what they were to do was to look after the wagon road, and so the whole public is inconvenienced just through this dual control.

13145. I suppose that is not a solitary instance of the trouble?—No, it is a typical instance.

13146. *Dr. Gregory.*] In regard to your ideas of amalgamation, what form do you think it should take?—I am a great believer in popular control. I would always trust the people, and if they would form one large Municipality and have their own representatives they should do so. If they make a mess of it they will continue to make a mess of it until they put better people on the Council, and, meanwhile, they themselves will suffer the most.

13147. Then I understand that you would favour a complete reconstruction throughout the Peninsula, of Cape Town and suburban Municipalities as well?—Yes.

13148. You would not favour their incorporation into Cape Town as it stands?—Yes; I think they should be absorbed into Cape Town, the same as is done in all such cases. Take New York, for instance. It absorbed Brooklyn, Hoboken and all the surrounding suburbs, and became one greater New York.

13149. That would entail a great amount of reconstruction of Cape Town?—I suppose it would.

13150. And a very drastic change; for instance you would substitute a paid Chairman instead of an elected Mayor?—Yes.

13151. Have you any idea as to the apportionment of the different debts in these areas?—No. I have not thought at all about that. I know that they all owe money and that Cape Town owes the most, but I do not think that would constitute any real difficulty. It should not stand in the way.

13152. You were speaking just now about the relations between the Harbour Board and the Town Council. Have you anything to say in regard to the control and management of the Dock Road?—Well, we have made an agreement with the Town Council to take over the whole of the Dock Road right up to Adderley-street. Very shortly the Dock itself will be extended as far as the Queen's Hotel.

13153. Has not the fact of there being two local authorities over that road militated against its proper control?—There were never two local authorities. It was always under one control except that some years ago there was a small portion from the Dock Gate to the Queen's Hotel which was repaired by the Harbour Board. Subsequently an agreement was come to, that from the Dock Gate to Adderley-street should be entirely under the Town Council. Of course, the control you allude too may perhaps be that of the railway, but in regard to that matter we have only lately taken over the control, of what was under the Sea Point Railway on one hand and the Cape Government Railway on the other hand. The Harbour Board had nothing to do with it.

13154. Have all these different controls now been centred in one Board?—Yes, right up to Adderley-street. We have made an agreement with the Town Council to temporarily reform the road and keep it in repair, until such time as reclamation enough has been made to take all the railways off the Dock Road, when it can be repaved with granite blocks or some other material which may be decided upon. It is only right to say that this agreement is not yet completed, so that we are not yet responsible for the road.

13155. *Mr. Gurney.*] Is it in consequence of the Harbour Board now having assumed control of that road that it has become a sort of a goods shed?—That does

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not rest with the Harbour Board. It is true that it is very much used as a railway yard, and I very much regret to see it, but that does not rest with the Board. We have to tender the trains, as they are made up, at the Exchange Siding at the foot of Adderley-street, but, as the railway cannot get its trains away from there, they must remain. The Railway Department have not got enough engine power to take them away.

13156. *Mr. Stewart.*] You said that things went wrong with your Water Supply Bill, or Company, or Syndicate, because you had no rating power, and, subsequently, because the people took a cold fit on the matter and said that there was enough water at their own doors. Does this extract from the evidence of a witness before the Select Committee on the Bill fairly represent that idea? The witness was a member of the Liesbeek Municipality at that time, and, I think, he had a good deal to do with this matter, possibly it will shew how much they knew about it. He said, "There is plenty of water in the suburbs at a man's very door if he is not too lazy to dig for it. This is shewn by the luxurious growth of the trees in the suburbs, which grow without any water being carried to them"?—That is a correct view of the general opinion. I remember that some of us stumped the suburbs and we met a most strenuous opposition from nearly everybody. They preferred to have pumps and pay the plumber to repair them to having a water supply for which they would have to pay.

13157. So that really, until about 10 or 15 years ago, this opinion was a very general one in the suburbs that there was no serious necessity for any water supply at all?—That is so.

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13158. *Mr. Gurney.*] I should like to ask you one or two more questions concerning estimates for works, particularly in view of the fact that the Commission is asked by the Government to give an estimate of the cost of a water and drainage scheme. You told us the history of the first Cape Town Reservoir, and I gathered that the work was undertaken with the distinct knowledge that the £50,000 which the ratepayers had voted would be altogether insufficient?—That is scarcely the position. The Council were aware that a large reservoir was desirable, and the foundations were laid in such a way as to provide for the reservoir wall being raised to a certain height, but whether the building of it would be continued without a break or whether there would be a break was not known.

13159. What I was meaning was that it is said that the tendency in by-gone days has been very largely throughout the Colony, not in water matters alone, in respect of which one has heard complaints in Parliament, also for engineers to encourage the starting of a work knowing that when once the work has been begun it must be finished cost what it might, and so to have purposely under-estimated for the work?—I think that is absolutely untrue, although the public may have thought so at times.

13160. With railway works the complaint has been that once Parliament was pledged to the work it did not matter that the estimate was exceeded?—That may have been the complaint, but I know of no case where there is the least tittle of proof in support of that view.

13161. But the description you gave was that you were instructed to proceed although the £50,000 was known to be inadequate. Was not that a case, not on the part of the engineer, perhaps, but on the part of the officers who were instructing you to proceed?—No, I think it was known publicly. My report, for example, was published in the press, and it was known that sooner or later the larger work would have to be constructed.

13162. But, in your opinion, the estimate was not a sufficient one, but was accepted for the time being as sufficient to start the work. Such a thing this Commission could not for a moment entertain. It is a wrong principle, is it not?—I consider that the main features of a work should be outlined before you begin. You may do the work in instalments; but it is not always possible to get at what the ultimate cost will be. For example: the Commission might proceed with a scheme and do a section of the work knowing in a broad way that the source is a good one but without being able to give the ultimate cost at all approximately.

13163. That is what I was trying to accentuate, that, practically, until the excavation is completed and a very considerable work done, the ultimate cost cannot be obtained?—That is as far as watertight reservoir works are concerned. It is rather a special case, but, as I mentioned, I know of very few reservoirs of any considerable extent, in fact, of my own experience, I do not know of any, which have been constructed under the estimate.

13164. Would that apply to the estimate of £25,000 per mile for bringing pipes into Cape Town?—No. That is a very clear, plain-sailing affair. The estimate which I have given is a very ample one.

13165. Would there be any probability of 100 per cent. excess on that?—No.

13166. It is in a case of making a reservoir that this uncertainty arises?—Yes. Speaking for my own works I have seldom exceeded the estimate where the works have consisted principally of a pipe line, unless there has been a great rise in the price of iron in England between the dates of the furnishing of the estimate and the beginning of the works, which is sometimes a matter of years.

13167. But one of the Wynberg Reservoirs was underestimated?—The two storage reservoirs on Table Mountain were constructed under the estimate, or within a few pounds of it.

13168. You have had much experience of the rest of South Africa generally. How have the estimates turned out elsewhere?—I have, as a rule, been somewhat over the estimate, but the reasons have been from causes in which the engineer could scarcely be supposed to have had anything to do. The contractors in many instances have not succeeded in completing the work which they have undertaken to do and the work has had to be relet, with considerable delay, and naturally, with an increased cost.

13169. And then you spoke of what you might have been prepared to do, in a lighthearted way, when you first came into the Colony, but which you would hesitate to do now, after 19 years' experience of the special difficulties which arise in South Africa. Do you consider that the difficulty in making any estimate of that sort would be immensely increased if it were done by a man new to South Africa?—My answer was not in reference to that particular subject. It was on the question of the run-off from a catchment area.

13170. Would not the same difficulty arise with a man fresh to the country in connection with estimates? Would he not be less likely to arrive at an accurate estimate than another man who had been here for a considerable period?—I do not think so, as in that particular matter he could easily get at the ruling rates of wages. It does not require any particular engineering talent to make an estimate which will not be exceeded. That is an easy thing to do. The difficult thing is to make an estimate of the cost of executing the work properly without wasting money. It is easy enough for a man to make a shot at a large amount and make the cost of the works fit into it.

13171. So that coming to the final question in connection with estimates, you do not think this Commission could, even if it gave some time to the matter, and employed an expert for the work, really give a reliable estimate of the cost of any works such as we have been talking of?—I think you could get an approximate estimate from a man with a considerable experience in large water works. But in a big scheme like this, to put a man who has had practically no experience of contracts in foreign countries to do the work would, I think, be dangerous. For instance, we are not always very well served by the British contractor in regard to the supply of plant. I know of many instances in which, although contracts have been entered into in Great Britain for the supply of material by a certain time, the material has not been supplied within that time, or anything approximating to that time, with the result that the work at this end has been delayed, and complications have frequently arisen with the local contractors.

13172. *Dr. Anderson.*] Supposing for a moment that an authority was constituted to supply the Peninsula with water, and sought a source of supply from the mainland, which would take 5 years to bring here, would we, if all the present water supplies were pooled, be able to go on without an increased supply in the meantime?—You would be able to go on for a considerable number of years if Cape Town would be prepared to come to the assistance of the other Municipalities, after they have constructed their additional reservoir.

13173. I am putting a purely hypothetical question. I am supposing that the water in the Peninsula is pooled, and the districts which have not an abundant supply receive their share from the other districts which have a better supply?—There is no doubt whatever that, if Cape Town had had this additional reservoir finished, as I think it would have been if it had gone on immediately after the construction of the Woodhead Reservoir, there would have been plenty of water for the other Municipalities. My answer must not, however, be held in any way to indicate that Cape Town would be prepared to agree to that course. I am not instructed by Cape Town in the matter.

13174. No, I am just taking you on a pure assumption, but would not that fact be an argument in favour of amalgamation at once?—No, I see no reason why Cape Town should not extend its supply to Woodstock, as it has done before, without any amalgamation, by simply making Woodstock, or a part of Woodstock, become a consumer of Cape Town.

13175. Therefore, if some arrangement of that sort could be made, would it not be necessary for the Commission to recommend that some other

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local source of water should be sought in the meantime whilst this main source of water was being brought to the Peninsula?—That is, on the assumption that Cape Town is prepared to come to the assistance of the others. I say that, between Wynberg and Cape Town, if they choose to come to the assistance of the others, facilities could be given, and I believe that they could keep the whole of the suburbs going for five or seven years, with a certain amount of care. In my opinion there is a certain amount of waste now.

13176. In your evidence you condemned the dribble system, did you not?—Yes. I may say that I am not the first who has done so. In Mr. Gamble's report, in 1881, he drew attention to this system. In subsequent reports by me, particularly in 1892, I also drew attention to it. I cannot understand why, when it is possible to get cool and clean water from the main, it should be run into a tank and warmed by the sun. The tank is generally placed in back yards where it is liable to receive a certain amount of filth. It is an extraordinary system, and I must confess I do not understand why it should be continued in Cape Town or in the suburbs. I cannot call to mind any city of any consequence in Great Britain where it is in use.

13177. Can you give any explanation of why, in spite of these reports for the last 20 years, it still continues in use?—I really cannot understand why it is, unless the Town Councils, or the public bodies concerned, do not care to burden the ratepayers with the additional cost of putting in proper fittings. That is probably one of the reasons, but that can scarcely be said to apply to the late District Water Works Company.

13178. Are there any engineering difficulties in the way that you see?—No, I cannot see any engineering difficulties. It is possible that, in Cape Town, some of the existing distributing pipes would have to be replaced by some what larger ones, because the consumption during certain periods of the daytime is considerably higher than the average consumption during the 24 hours.

13179. *Mr. de Villiers.*] You said yesterday that two years would be necessary to get sufficient information about the maximum and minimum capacity of any water scheme?—I said that that was about the shortest time in which you could get a good idea of these questions. It might be that it would take longer.

13180. Do you think that such information is absolutely necessary before you recommend any scheme or adopt any scheme?—I would not go so far as that, but that period is necessary for making a fairly complete investigation.

13181. You would not be prepared to recommend any scheme on the mere information as to its average capacity?—I would not like to do that without some qualification.

13182. What do you consider that the requirement per head of the population for water should be in the Peninsula?—I consider that 30 gallons per head should be provided for domestic and public purposes.

13183. Would that include water for sewerage purposes?—Yes.

13184. Would it include water for gardens?—No. I exclude whatever may be wanted for gardens. Thirty gallons per head per day would include all water required for domestic and municipal purposes, but not abnormal supplies such as supplies for the Harbour Board.

13185. Or the railways?—No, nor for the railways.

13186. *Chairman.*] When you speak about the tank and dribble system, what is the size of tank in general use in Cape Town?—They vary, but I think 400 gallons is not an unusual size; 200 gallons is also a common size.

13187. The probability is that this tank system is a survival of an old standing arrangement when the water was apt to be cut off, and when people filled their tanks in view of the possibility of missing the water at some other time?—I take it that is so. It was probably necessary at one time in Cape Town when the supply was irregular and could not be depended upon.

13188. And people have got into this habit and it is very difficult to get them out of it. They are very conservative even in these little matters?—I suppose that really is the case. And of course there is always the difficulty of changing a system like that when it has originally been put in with the consent and approval of the authority responsible.

13189. You stated yesterday that you would like to see, at least I thought you put it in that way, that no pipe should be brought in from any source of supply which would not deliver a quantity of 10,000,000 gallons of water per day?—I put it as far as I remember, that it was desirable that we should provide for a supply of 10,000,000 gallons per day.

13190. But you said that would not be wanted for perhaps a good many years?—The whole of the 10,000,000 gallons would not be wanted.

13191. And thereafter, as the demand increased, it might be necessary to duplicate the pipe? —Yes.

13192. May I ask if the estimate of £25,000 per mile is for a pipe of that size and if it would be materially altered for a pipe of half that diameter?—The estimate was for a pipe 36 inches in diameter delivering water under certain conditions. The diameter might have to be an inch or two greater if the water came from a less elevation. It is entirely a matter of the hydraulic gradient.

13193. Then in making an estimate of the cost we should have to bear in mind these points: the head of water and the diameter of the pipe, that is to convey the water?—Undoubtedly, because it is one of the main factors in calculating the discharging capacity of the pipe that the head of water should be known.

13194. Would it be worth while considering whether, for the immediate future, it would be economical to commence with a smaller pipe, that is, would any saving in the immediate expenditure be worth regarding in view of the fact, which you yourself contemplated, that even with a 36 inch pipe you might have to duplicate within a measurable distance of the present time?—I would not like to answer that question straight off. It requires to be gone into very carefully, to ascertain first what interest you would have to pay on the larger pipe until its additional carrying capacity came into play.

13195. *Dr. Gregory.*] What would be the additional cost?—Supposing that you put down two pipes of the same size, say to carry 10,000,000 gallons. The ultimate cost would be about 50 per cent. greater than if you put down one large pipe in the first instance.

13196. You would have some countervailing advantage, would you not, in the case of such a thing as a burst and the repairing of the main?—You would have that advantage with a duplicate pipe, but I do not look upon it as very important in this case because you have your local supply from which you would always be able to get water until a repair was effected. If you had not a supply available from Table Mountain the question of a duplicate main to provide for interruptions in the supply would be an important point.

13197. *Chairman.*] If we are going to have a great scheme, do you think that if the question of distance—if within 45 or 50 miles—has to be considered, might there not be compensating advantages in going to the greater distance?—I am bound to say that there might be compensating advantages, but that, again, is a question to be worked out after careful investigation.

13198. In what direction would these compensating advantages have to be sought?—One might be that you would secure your source at a very much less cost, and that there might be fewer water rights to deal with. That however is purely hypothetical.

13199. But it might come to be a very important matter, might it not?—Yes, it might, but in order to get at the relative merits of any scheme we have to put down to each scheme the cost of acquiring the source, the cost of acquiring the water rights below the source, the cost of the works at the head waters and the cost of bringing the water into Cape Town and the Suburbs. Then again, there is another important point to be borne in mind, and that is the liability of the source to pollution.

13200. We may take it that risk of pollution is included in the conditions of acquisition of site. It would be necessary to provide against the danger of pollution at the site acquired in all cases?—Yes; for example you would not acquire any site, nowadays, with a farm inside your catchment area, unless you made provision for surrounding your buildings and carrying away the drainage outside the catchment area. Neither would it be desirable to have any cultivated land within the area, although that is not so important if you have filtration afterwards.

13201. In that way it is conceivable that the extra cost in providing for a greater length of pipe might be compensated for by a decrease in the cost of the acquisition of rights?—It might be.

13202. It is a point we would have to consider at all events?—Undoubtedly. It might even come to considering whether storage reservoirs should not be constructed on the Flats and then to pump thence to the existing service reservoirs, but that, too, is purely hypothetical.

13203. You mentioned certain sources of possible water supply yesterday and some have been mentioned to this Commission. Doubtless you have your own views upon them, but do you think the Commission can pass them by without taking better evidence upon them than has been, at the present time, supplied?—I think it is outside the objects of the Commission to select a particular scheme. It is highly desirable to get evidence on the subject of flow for some of the schemes mentioned by me and even of others if they are likely to be forthcoming.

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13204. Take that source of supply—the Twenty Four Rivers—which has been mentioned. From the evidence you have led you are not acquainted with the amount of water which it would supply?—I stated so yesterday, most distinctly.

13205. You guarded yourself yesterday, and the only real objection as yet raised is the one of distance, which is, of course, a very considerable objection; but before that source is set aside do you not think that some further investigation should be made of such a source of supply considering the evidence brought before the Commission with reference to it?—I do not know that I have read much evidence in its favour up to the present time. None of the witnesses had a very clear idea of the quantity of water which would be available from that source.

13206. That is so, but have we better information with reference to some other source of supply?—I think we have.

13207. For all of them?—I should not like to say that; in fact I have already stated that further investigation is desirable. Although you may form a very close idea of their value yet you cannot get at the maximum and minimum capacities.

13208. How is the Commission to arrive at a determination to exclude, say, six of the suggested sources of supply out of the seven that are mentioned?—I simply mentioned these sources as less likely to be useful, not that they might not be investigated, but they are less likely to be useful owing to their increased cost, that is, owing to the distance.

13209. Could you now indicate more precisely the points which you think ought to weigh with the Commission in recommending one source of water supply than another?—I would put it to you whether that is not rather a matter which comes before me as a member of the Commission rather than as a witness to-day, and therefore whether it is not easier, and probably better, for me to give it in camera to the Commission. I merely put it to the Commission in that way. I should be speaking then more as an adviser, or as a member of the Commission.

13210. But are there not points upon which we ought to have expert advice in order that those who do us the honour of reading our report should see on what we have based it?—I prefer not to do that at present.

13211. Would it be possible, do you think, to draft a Bill, or to get one drafted, for introduction into Parliament which would enable the Peninsula to bring in its necessary supply of water without indicating the particular spot that is to be selected?—No, I think that Parliament would promptly stop that. They would not give a roving power to take any source of water supply.

13212. Does not that imply that, unless we suggest very closely where the best source of supply is, the body which comes into existence will have to go over all this work which we are now doing?—I think I said yesterday that, from my point of view, the decision as to the particular source should lie with the body that is going to do the work and be responsible for it hereafter. I am still of that opinion. I do not think that the Commission should not undertake an investigation which will probably indicate, approximately, what in their opinion is the best source.

13213. But in order to indicate that, we must get the necessary evidence?—That is evidence which I am not prepared to give at present.

13214. May I ask you what kind of evidence we ought to look for? What are the points which we should try to bring out?—The points undoubtedly are the run-offs, that is the yield of the catchment area. That is the first point. The actual catchment area is also interesting, though the point we have to deal with is the quantity of water. We do not care whether we have to get it from 1,000 square miles or 50 square miles. It is desirable to get the area and, although it is not absolutely necessary to get the rainfall, it is desirable to get it, because I do not think we could get the flow-off without getting the rainfall. But the very first thing we have to get is the run-off from the catchment area.

13215. How far has that run-off been ascertained in any area within a reasonable distance of Cape Town?—I think I have given most of the facts which make for the run-off in previous evidence, and a report which has been handed to the Commission in connection with the Steenbrazems River, gives the results from another catchment area.

13216. Do you think that the run-off which you mentioned there would cover the whole area of the Hottentot's Holland Mountains, its kloofs and valleys?—I think that the run-off which I gave for the Steenbrazems area would apply to a great part of that range of mountains, but whether it would apply to any certain point I am not prepared to say. I may indicate shortly that you have a certain rainfall at the top of the Steenbrazems Valley, but if you go, within a few miles from there, to Houw Hoek, the rainfall is very much less, not half in fact, and is not at all applicable to the area. It has nothing to do with it in my opinion.

13217. What head of water do you think it would be necessary to have to bring

a supply to Cape Town?—That depends upon the distance from Cape Town. The greater the distance the greater the elevation necessary, so as to force the same quantity of water through the same size of pipe. Either you have to increase your size of pipe or increase your head of water, in other words, the pressure.

13218. Suppose you were to go 45 miles from Cape Town, what elevation would it be necessary to have?—I should not like to give that off-hand.

13219. I would just like to draw your attention to certain evidence given by a witness before us. It is as follows:—

"*Chairman.*] There was a river mentioned to us called the Witte River, which is a branch of the Breede River: are you acquainted with that?—I know that very well, as I was born near by.

"Has the supply from that river been mooted by your Board?—It has never been mooted, because I believe that the supply of water does not belong to any particular individual just now, but that Mr. Rhodes has purchased it, and that it now belongs to the De Beers.

"It is now the property of the De Beers' Company?—I have reason to believe that that is the case. Some years ago the Witte River water supply was offered to the Cape Town Council; they went to inspect it and came to the decision that it was the best supply in South Africa.

"Do you give this information from hearsay?—No, I know that. The whole scheme was offered to the Cape Town Council for £120,000, with all the riparian rights, and it would yield, I should think, four or five million gallons a day of pure mountain water."

Have you any knowledge of the statements made there?—I cannot of course say on what grounds these statements in regard to gaugings were made, but I know that in November, 1892, I had certain gaugings made of this source of supply, and instead of getting 4,000,000 gallons per day I obtained less than 2,500,000 gallons per day.

13220. Was that the run into the stream?—It was the run in the furrow. It was not the whole run of the river, but the Syndicate were not selling the whole run of the river.

13221. What they were selling then was the water in a certain furrow?—Yes, I may describe it roughly in this way. I have a report before me on the subject. It was published in the newspapers at the time:—

"In accordance with your instructions I have the honour to submit the following report on the inspection made on the 1st November, 1892, in company with the City Engineer and a Committee of the Council. In doing so I have to point out that the time spent on the ground did not enable sufficient data to be obtained for the preparation of estimates. I am, however, in a position to supplement the results of the inspection by information acquired some time ago.

"*Witte River, Bain's Kloof.*—This river takes its rise among the Slanghoek and Hawequas Mountains and flows down Bain's Kloof to the Breede River. It appears that in 1854 a channel was made by which a portion of the flow was diverted from Bain's Kloof and made to flow down through Wagenmaker Valley, Wellington, and then into the Berg River. The water proposed to be supplied to Cape Town is that which flows to Wellington by the aforesaid channel. The watershed where the channel crosses from the catchment area of Bain's Kloof to that draining towards Wellington is about 2,100 feet above the sea and 48 miles from the Molteno Reservoir.

"There was a large volume of excellent water flowing in the Witte River on the 1st instant. Mr. Coaton and the gentleman who accompanied him agreed that there was always sufficient water to fill the diverted channel. Mr. Cairncross and I gauged the flow in the channel and found that there was approximately 2,500,000 gallons per 24 hours. I am informed that this is about the same as the quantity gauged by Mr. Wood in last dry season."

13222. That was the run?—That is so. Subsequently on the 20th February, 1897, I had the flow gauged by one of my staff, and it was then found to be 2,200,000 gallons per day.

13223. That was in the dry season?—It was a dry month, but I would not like to say that it was a very dry time of the year.

13224. Was that without storage of any kind?—Yes. It was the quantity running in the stream.

13225. Is it possible to store water in that neighbourhood?—It is possible to store there, but it is not a very good site for a large storage reservoir.

13226. Is the rainfall favourable in that neighbourhood?—I have had no rainfall observations made, but there is no doubt that there is a very heavy rainfall there. At

that elevation, in those mountains, it would be quite safe to say, as a forecast, that you would get 40 to 50 inches even in a fairly dry year.

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13227. Is there any foundation in the statement that this was offered for the sum mentioned, namely £120,000?—It is not within my knowledge from documents that that was the offer, but I believe an offer was made. I may mention this is the report which I gave of the source: "Witte River is undoubtedly an excellent source of supply for Cape Town, and in my opinion is the best source outside the Peninsula." That is merely as a source. With regard to Mr. Louw's remark in question 1151 that "Mr. Stewart made the greatest mistake he ever made in his life by offering to build a reservoir on Table Mountain for the Council at a certain figure," I can only say it is absolutely incorrect to state that any mistake was made.

13228 *Dr. Gregory.*] Will you kindly explain?—I would like to state the case rather differently. I will say that if that is the greatest mistake I have made I am quite prepared to stand by it. I do not wish to raise this for any personal purpose, but let us take the figures. One and a half million gallons per day from there would involve a scheme costing £240 000. Add that to the £120,000 for the purchase and you get £360,000. Compare it with what the same quantity of water from Table Mountain is costing by the construction of the reservoir there. At a cost of £140,000, we get an augmentation of slightly over 1,000,000 gallons per day, and when the one in course of construction is finished at the cost of £190,000, at the very most, we have fully 2,250,000 gallons per day, which, I think, compares rather favourably, regardless of the use that the water from Table Mountain has been for power.

13229. *Chairman.*] But as regards future supply, you had not exhausted the capabilities of the Witte River neighbourhood?—In that case we had only 2,500,000 gallons per day.

13230. But could not that supply have been augmented by other means?—That is a very important point. It has more to do with the legal aspects of the case. The first point to be settled in that scheme was whether the usual amount diverted there was 2,500,000 gallons per day, or 4,000,000 gallons per day. They were not entitled to the right to a bigger quantity than had been flowing since the year 1854.

13231. You mean in the furrow?—Yes, it was a question of the prescriptive right.

13232 But what about stormwater?—There was no stormwater included in the flow in the furrow. All we would have been entitled to take was the flow in the furrow. There is plenty of water about there, but in the river, and that was not offered to the Cape Town Council.

13233. So that the acquisition of the rights would not have implied the further question of rights in that neighbourhood?—No, we were limited, so far as I remember, to the furrow. That is all that was shewn to us.

13234. But could the Council have acquired the rights to any catchment area in the neighbourhood?—That brings in the whole question of utilising the Witte River which flows into another valley altogether, and which is on all fours with every other scheme. We need not have paid that £120,000 for that water right in that case. We would only have had to go over the hill and take water from the river.

13235. Have you any further information to give us about the run-off from Table Mountain from your observations?—Yesterday, when you asked me some questions, I gave what I considered to be the run-off, but I may refer you to a report of mine on the additional storage reservoir on Table Mountain, which is dated the 19th August, 1897, where I gave the run-off for every month of the year from September, 1896, to August, 1897, and the total worked out at 111,000,000 gallons.

(The rest of Mr. Stewart's evidence was taken in camera).

MONDAY, 23rd JUNE, 1902.

Present:

Hon. Sir W. Bisset Berry (*Chairman*).

Dr. A. J. Grigory.	Mr. W. E. Gurney.
Dr. A. J. Anderson.	Mr. J. E. R. de Villiers.

Messrs. William Noble Dixon (President) and *William Jacob* (Member of the Executive) of the British Working Men's Association, Cape Town Branch, were examined.

[Mr. Dixon was the principal witness.]

Messrs. *W. N. Dixon* and *William Jacob.* 23rd June, 1902.

13236. *Chairman.*] Your full names, please, gentlemen?—(*Mr. Dixon.*) My name is William Noble Dixon. (*Mr. Jacob.*) My name is William Jacob.

13237. You appear here on behalf of the Cape Town branch of the Working Men's Association of South Africa, do you not?—Yes.

13238. And you come, principally, to represent working men on the questions referred to this Commission for enquiry?—Yes; and, of course, we appear as ratepayers also.

13239. I presume you have had your attention directed to the scarcity of water which, occasionally, prevails in Cape Town?—We have had it brought home to us very forcibly indeed.

13240. Have you any remarks to make under that head?—The remarks which I have to make on that subject are pretty well embodied in that resolution which you have in your hands. The great point is that the water has sometimes been turned off and, in some parts, the people have suffered a good deal in consequence.

13241. In what part of Cape Town do you live, Mr. Dixon?—In Ebenezer Road, District No. I.

13242. How long have you been living there?—Now about three years, but I have been a resident of Cape Town for over 20 years, and I used formerly to live at the same place where I am residing at present.

13243. In what part of Cape Town do you live, Mr. Jacob?—In District No. I.

13244. And how long have you been living there?—For 20 years. (*Mr. Dixon.*) The letter I now hand to the Chairman is from a resident of District No. VI. Our Association is composed of members from the different districts in the town. Our great point is that we cannot see the necessity for going 40 or 50 miles for water when there is an incalculable quantity running to waste here and doing damage. I lived on the mountain slopes myself, and I have often discussed the matter with others, who think with me that there should be a series of reservoirs in the various kloofs on the Mountain, and that the power of the fall of the water should be utilised, by means of turbines, for accumulating electric energy of which an untold amount could be supplied from that source. Although we are simply men of the street, we also keep our eyes open and take an interest in these matters. We are of opinion that, in connection with these reservoirs, there should be duplicate pipes laid if tanks were done away with, so that, in the event of one pipe going wrong and requiring repairs, another should be available to supply the people with water in the meantime. We quite recognise the danger to health, which, it is said, might result from the use of the tank system, but I do not see why every tank should not be served with a valve, the same as a blow-off put into a boiler; then the Sanitary Inspectors could occasionally stop the water at the tank and let it run dry; and then it could be flushed properly, so as to remove all the sediment which has accumulated in the tank.

13245. Do you not consider that, under present circumstances, it is quite possible to do away with the house tanks?—It is, of course, possible to do so, but two or three points in that connection will have to be considered. The fact that I was able from my tank during the scarce time to supply some of my neighbours brought the usefulness of the tank home to me. Another point is that there is an unnecessary waste of fresh water for flushing purposes. I don't see why, with an unlimited supply of salt water at hand, it should not be used for flushing purposes, as it would effect a great saving of fresh water.

13246. The point has been brought to the notice of the Commission by several witnesses, and a note made of it?—My father-in-law, Mr. Higgo, who lives up the Kloof in Cape Town, and myself, have suggested that a salt water reservoir should be placed up on Kloof Neck, and filled from Camps Bay, from which altitude it would supply the town, not only for flushing purposes, but also for fire extinction purposes. Sea water from Camps Bay is much purer.

13247. You would have the water pumped up there?—Oh, yes; but I don't see why the south-easters should not be taken advantage of to do more useful work than to blow the dust into our eyes.

13248. You advocate the erection of windmills?—Yes. (*Mr. Jacob.*) Yesterday, I was at Simonstown, and I saw a beautiful stream of water running into the sea from Red Hill, and I consider that a great pity as it would be a good source of supply if all that water were stored.

13249. Is there a possibility of storing further supplies upon Table Mountain?—(*Mr. Dixon.*) It has been my opinion for years that Cape Town, being the keystone to all South African questions, should set the example in the matter of storing the water, because it is not that we lack water, but what we want is storage. It simply runs away into the gutters now.

13250. You are aware that works are being contemplated, and being carried out, for diverting some of the storm water?—Yes, but my idea, with regard to that, is that the water should be diverted nearer to the source than is done at present, because it would then be better dealt with. (*Mr. Jacob.*) I feel that, if possible, the Peninsula should secure its supply within the Peninsula, because if the water were brought from a distance then an enemy could so easily cut off our supply in time of war.

13251. Of course, you would be quite willing to say that much depends upon the cost?—(*Mr. Jacob.*) Quite so.

13252. And if it can be shown by engineers that not much more can be stored and that it will cost more to utilise the water which could be stored on Table Mountain than to bring a supply from a distance, then we have to look at it from that aspect, as well?—Oh, yes; but we must not forget that places will spring up, and are already springing up, along the route which the water will most likely take to Cape Town, and these places will want their supply from there themselves. Such a supply will have reduced the pressure, very considerably, by the time the water reaches Cape Town.

13253. Now, what have you to say with reference to the framing of the Voters' Roll?—(*Mr. Dixon.*) That is our particular point.

13254. Well, what have you to say about it?—(*Mr. Dixon.*) The leaflet which we have had drawn up deals with that. (*Mr. Jacob.*) We consider that the voters' roll is, at the present time, very loosely framed. The Sanitary Inspector comes round and asks the question, "Who lives here, and where does he work?" and a few weeks after that you see a notice that the register has been framed, and will lie for inspection at the Municipal Office from 9 a.m. to 5 p.m., during which period of the day, a working man has no time to go there, and all he can do is to write to the Town Clerk. We contend that the register should be framed on the same basis as that of the Parliamentary registration of voters. Schedules should be left at the residences of the people and they should fill them in and send them in, or they should be collected. Then the register should lie for inspection for, at least, one evening a month say from 6 p.m. to 8 p.m., to enable the working men to inspect it.

13255. You don't mean every month in the year?—No, only while the list is being framed. Then there is another point: Persons who qualify during the interim —between elections—should be able to have their names placed on the register, and for that reason we should advocate the appointment of a permanent Registering Officer who could deal with the claims of people from time to time.

13256. Do you think then that, at the present time, sufficient facilities are not given to the working class in the City for having their names registered as voters?—Not at all.

13257. And, in that way, many men who really ought to have votes are deprived of them?—Yes, you find that is especially the case in the case of joint occupation, where the man who is responsible to the landlord obtains a vote, whereas the other, though in all other respects equal to the man paying the rent, is debarred from voting. Then also a man who occupies a small office in Cape Town and who lives in the Suburbs, has a vote in Cape Town, by virtue of his occupation of the office, which may be a very small one indeed. (*Mr. Dixon.*) Our idea is that if a man is competent to have a vote for a Member of Parliament, he should also have a vote for a Municipal Councillor; the former qualification should include the latter. That point should be definitely settled in our opinion. But we are of opinion also that aliens should not be allowed to exercise any right of voting.

13258. You would only extend that privilege to naturalised British subjects?—Oh, yes. Then, Mr. Chairman, we are strongly in favour of the ward system, as that would be the fairest and the best. If you have any complaint, under a ward system, you will be able to fix your Councillor and bring him to book, but now it is such an easy matter to say, "I can't help it, so and so is responsible."

13259. Was either of you gentlemen a resident of Cape Town when the ward system was in vogue?—(*Mr. Dixon.*) No. But I may mention that Mr. Charles Lewis,

who was one of the most prominent in doing away with the ward system, is now in favour of it.

13260. The question of the desirability of re-introducing this ward system again, you believe to mean an important one for the Commission to decide?—Yes. It is badly needed.

13261. What is your view with reference to the ward boundaries of Cape Town? Would you have the present districts made correspouding wards?—Unless there is any expert knowledge to the contrary.

13262. But you think the present districts may fairly constitute the wards?—Yes. On this subject, I would also like to say that the men should not be compelled to vote in the same ward where they live, because often you find workmen working far away from their ward, and they should be allowed to record their votes at any polling station, the same as is done at the Parliamentary elections. And, to guard against impersonation, an official ticket should be issued to every voter, and a receipt given for it, when delivered at his residence. If the man is not there himself, his wife could sign the receipt. That would ensure that only one vote will be recorded for each ticket.

13263. In that way you could provide that a man's vote could always be secured for his own ward?—Yes. And, to overcome any difficulty in that respect, I should say that the whole of the voting papers should be re-sorted by the officials for the different wards.

13264. You would leave the classification of the voting papers to the officials?—Yes.

13265. That is, to the Polling Officers?—Yes. (*Mr. Jacob.*) Once I found, on arriving at the Drill Hall to vote, that my vote had been stolen, and I know of two or three similar cases. That is really what we wish to guard against. (*Mr. Dixon.*) I think the suggestion I have made with reference to the issuing of an official ticket would guard against that.

13266. Now, with reference to the time during which the votes are to be recorded, do you ask for its extension?—Yes. We think it should be extended until 8 p.m., as is the case at Home. I may say that we look at it from this point of view that poor old Oom Paul Kruger was far more honest by saying straight out that he would not give the men the franchise, than what is done here where the working men are told they have the privilege of the franchise, while the hours are so fixed as to make it almost impossible for the working men to record their votes. All sections of the community should be fairly represented on the Council, and the working man should be given a fair chance to record his vote. We are not merely agitating for agitation's sake, but, when we see reforms are required, we honestly try to have them carried out in a proper constitutional manner. Some time ago, we addressed a communication to the Municipal Council of Woodstock, where some of our members reside, and they had not even the civility to reply to our communication, or even to acknowledge it. At Woodstock, they made the polling station at the Woodstock toll, but there are many workmen at Salt River Works, and as the poll closed at 5 o'clock, it was impossible for these men, after leaving off work, to come all that distance and be in time to record their votes.

13267. You are clear in your contention that the polling office should be kept open until 8 p.m., and also that the other provision of allowing a man to record his vote in any ward should be made?—That is what we aim at. (*Mr. Jacob.*) We do not contend so much that it should open until 8 o'clock, but that you must have a polling station in every ward.

13268. Yes, but you want to enable a man to record his vote in any ward?—Yes.

13269. But one wants to save labour in these matters?—(*Mr. Dixon.*) Quite so.

13270. But does it not seem that if you keep the polling office open until 8 o'clock, you do away with the necessity for voting in any ward?—Undoubtedly. (*Mr. Jacob.*) I work at the Docks myself, and I know what a rush it is from there, especially if one leaves his work at 6 o'clock.

13271. You live in District No. 1, and, if you had a polling station in your district, you would not have so far to go?—Yes, but if I only knock off work at 20 minutes to six, say, it is impossible for me to get to the Drill Hall. (*Mr. Dixon.*) I might say that, when I lived at Rondebosch, I discussed the matter with Mr. Innes. My house was not valued up to the required amount to entitle me to a vote, and I then pointed out to him that it was very hard on me as I took a keen interest, especially, in sanitary affairs. I said to Mr. Innes that I considered where a man is allowed to vote for a member of Parliament—the superior legislative body in the country,—that such a qualification should carry with it a residential vote. Having a vote for a member of Parliament should certainly entitle a man to vote for a Town Councillor, or for a member of a Village Management Board. The working class are doubly interested in the vital conditions of the place in which they reside.

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13272. Well, gentlemen, I think, these are the main points—the question of greater vigilance in the framing of the Voters' Lists; the ward system on which you are very strong, and, I may say, you are borne out in that by many other witnesses who have given evidence before the Commission: the question of extending the polling hours, and multiplying the polling stations, so as to give greater facilities for recording votes; is not the question of aliens, however, really a question of the general law of the land, whereas the Municipal franchise is entirely a property one?—Yes, Mr. Chairman, those are the real points we desired to bring out.

13273. And you put in this letter from Mr. Foster (see question 13244) with reference to general neglect, especially in the case of District No. VI?—Yes. Then, with regard to roads, I should like to say that we wish, as far as possible, in the workmen's district, to have some attention given to the footpaths. Our children have to go to school, and our wives have to walk along these roads. We are really the tramping people and cannot afford to drive in carriages, and something more should be done for us. Mr. Jacob can give you some valuable evidence on that point, especially in regard to the Dock Road, which has been put into such a condition that the heaviest traction engines make very little impression upon it, showing that the Council *have* good material for the roads. (*Mr. Jacob.*) I have seen the whole of the south-arm constructed, and, in spite of all the traffic of the last couple of years, hardly any impression has been made upon the roads there, and I don't think 20 loads of material have been needed since for repairs. That is because those roads have been properly constructed. But with regard to the streets made by the Council, they have, in the first place, no foundation, and, in the second place, bad material is used for them, although the very best road material can be got on the slopes of the mountain, without much difficulty. The real question is to get good material and as cheap as possible. At the present time their source is the Strand Street Quarry, and they might just as well go a little further and get better material. (*Mr. Dixon.*) Some of our members at Woodstock have asked me to mention to you, Mr. Chairman, in connection with the Oliphant's Hoek water scheme for Woodstock, the question of boring and experimenting in that way which one witness, according to the papers, does not seem to favour.

13274. That is a matter which you may safely leave to the Commission, do you not think so?—I was simply going to give you the feeling of the people in the matter, as they asked me to do so. The people think that a lot of the water from Oliphant's Hoek will be taken up along the way, and that it will be of little use when it reaches Woodstock, owing to the loss of pressure.

13275. *Dr. Gregory.*] Have you considered the effect of the ward system from your point of view, in that there is a tendency for working men to inhabit largely one particular district, which, if created a ward and you elect your one member for that ward, would give you, relatively, very little voice on the Council by that one member? You would have more voice with your particular member for your district, but not very much voice on the Council, as a whole?—(*Mr. Jacob.*) We are quite content, as long as our grievances could be officially brought to the notice of the Council. (*Mr. Dixon.*) It will make a wonderful difference, if you have a member for the ward, because the Council would not be able simply to send a letter saying that the grievance complained of will have attention. We want someone to represent our views in particular. I may mention that in Ebenezer Road there was something like a mild persecution going on. Some women washed their clothes at the back of their houses, out of sight of everybody, on the Municipal property, and these people were hauled up and fined half-a-crown each, although they caused no nuisance to the general public. At the same time, I have seen the meat taken along the road there in carts without any covering over it, at a time when the street sweepers were at their busiest, and yet no attention was paid to it. This shows how inconsistent the Council is. And, at the time of the plague, washing went on galore at the "Ebenezer Plague Camp," without let or hindrance.

13276. But now, if you are going to have a ward representation, has your Association considered the apportionment of the number of representatives to the different wards?—(*Mr. Jacob.*) We are quite prepared to leave that to the people who frame the Act. (*Mr. Dixon.*) The benefit of the ward system would come in in this way. The other day a discussion on certain nuisances took place, and Messrs. Ball and O'Reilly at once spoke about their localities and, no doubt, got their grievances attended to. So that a man, in a particular ward, if appointed on the Council, would at once have the interest of that locality at heart. Down at Ebenezer Road, we have no one in particular to represent us.

13277. Then, do I understand you to say that the representative of the ward should reside in the ward?—If possible; but we would not make that a hard and fast rule. The same as with members of Parliament; they do not always live in the

constituency which they represent, and, I think, it is a fair criterion to compare the requirements of a Municipality with Parliamentary practice. I would like to bring to the notice of the Commission the question of the removal of refuse, which is very badly done at the present time. If you put your tins out at night ready for the cart in the morning, the chances are that the dogs will come in the night and spill the contents, so that some of it is left behind.

13278. *Dr. Anderson.*] But you are not allowed to place your tins out at night?—That is so, but there is no regular time for the carts to come round. One morning they will come round at six o'clock and another morning at nine o'clock, and workmen's wives have no servants and cannot always put these tins out when the bell rings. I maintain that there should be a different method of cleansing. In loading the refuse on to the carts, the boys very often tip some of it in the streets and leave it there to spread germs of disease at will. It should be done in the same way as the County Council at Home have it done, by having gangs of cleaners with a responsible man at their head to see that things are properly done. Now, a lot of the refuse is blown all over the place.

13279. *Chairman.*] Who then superintends the cleaning?—The sanitary department is supposed to.

13280. Is there a man specially told off?—I don't know.

13281. What you want to see is a "Cleaning Master"?—Yes.

13282. *Dr. Anderson.*] May I just correct you? The cleansing of the town is under the Cleansing Department?—I did not know that.

13283. Well it is, and the Council is always anxious to attend to any complaints, which might be brought to their notice, that this work is not properly performed?—We find that these boys perform their work very badly, and are sometimes very cheeky too.

13284. *Dr. Gregory.*] Is there not an additional disadvantage in not knowing when you may expect your dirt cart, owing to their coming at irregular hours, and to the fact that often one cart comes along one side of the street and another along the opposite side of the street, so that, really, when the bell is ringing you don't know for which side of the street it is?—Oh, yes.

13285. *Mr. Gurney.*] Speaking of your suggestion of allowing voters to record their votes in any ward other than their own, and guarding against impersonation by giving them beforehand a ticket, there would be some risk, would there not, of the wrong person getting hold of the tickets?—Someone should sign for the receipt of the ticket in the same way as one has to sign for a registered letter. The ticket holder would be entirely responsible and would lose his vote if he should lose his ticket, as only one vote should be allowed to be recorded in respect of each ticket.

13286. How could you then get over the question of voting by proxy?—Ah, that is a difficulty.

13287. That would be a special thing; and is it not rather too complex a question to tackle just for the sake of enabling a man to get over the difficulty of not being able to go to his own ward, which could be got over by extending the time for polling until 8 o'clock?—That is so. We are not pressing so much for the vote in every ward.

13288. The thing seems to be so difficult and beset with so many complications that it would be better to try, as an experiment, the extension of the polling hours to 8 o'clock, before going into or altering the whole arrangement?—Quite so. There is also another point which might be considered. A receptacle might be provided in the different districts where men could deposit for collection their registration schedules, just the same as at the post office boxes. All we ask for is increased facility for recording our votes.

13289. Then your wish to have a representative for each ward is for the reason that he may be able to speak for you, even though he may be in a minority?—Yes.

13290. Knowing that the meetings of the Council would take place in public, and that the press would be present?—Yes, so as to put us in a fair position, and to assure us that our requests and representations should not be pigeon-holed.

13291. The fact that a ratepayer may come to any meeting does not, practically, help, because you would not be able to get the necessary time?—Certainly not. If the County Council at Home can meet in the evening, why cannot the Cape Town Council do the same?—If they did, then the ratepayers may look in occasionally of an evening. (*Mr. Jacob.*) The Cape Town Council used to meet in the evening, but owing to the public interrupting them so much they changed the hours.

13292. Well, with reference to British subjects being alone allowed votes, one can quite see the application of that when it comes to voting for Parliament, but do you think that a German, owning property in any Municipality, should have nothing to say with regard to the Municipal administration, even though he is not a British

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subject?—Allowing the present cumulative vote to come into force; if a man had a residential vote he would be able to counteract the cumulative vote

13293. I was speaking about the case of a man being a British subject, or not?—Personally, I am of the idea that a man being a British citizen should, by virtue of that, have certain privileges.

13294. Might it not meet your views sufficiently to say that such a person, who is not a British subject, should not be available for the office of Councillor, but still that he should have a vote if he owned property, and that he should have something to say with reference to the sanitary administration of the place?—Up to the present, we have been too liberal in that respect, and I think we have been paying very dearly for it these last two years. There is one other point I would like to call the attention of Dr. Gregory, as the head of the Health Department, to, and that is the question of wash-houses and baths. We think there should be a wash-house and a bath in every district.

13295. *Chairman.*] We have had these matters brought up very prominently before us and we are very glad to have your advice on them too, as they are of considerable importance to a town like this?—Yes. And it might easily be arranged for getting hot water for these wash-houses, as at Home, where they are kept open late, so that workmen can go and have a bath. A proper system of laundry and public baths should be started, and it would be remunerative.

13296. *Dr. Anderson.*] With regard to having a constant supply of water, are you aware that most townships in England are supplied with water on the constant system without any difficulty?—Yes, but I expect that in these towns provision has been made in case of breakages. Virtually, the water pipe would have to be duplicated in many parts.

13297. Well, are you aware that, supposing in such a case the water is to be cut off through any district, notice is given to all the inhabitants before?—They are supposed to, but they don't always do it.

13298. You would not agree that it would be better not to have a tank at all?—Certainly not.

13299. Your evidence would not give one the idea that you would place much trust in any Inspector whose duty it would be to see that the tank is properly cleaned from time to time?—That is so, and for that very reason we favour amalgamation, because a large body would employ men who would have something at stake, and who would therefore attend to their duties properly. I may also point out further difficulties: Close to my residence there are piled up, to the height of about 30 to 40 feet, ceiling boards without proper provision to guard against their being blown about by the wind, with the result that some were blown through my roof and endangered my children, but when I complained to the Town Council, they replied that they had no power under their present regulations to deal with matters of that kind. That is not only a danger to health, but also in case of a fire. They give the same answer with regard to traction engines.

13300. With regard to the question of using salt water for flushing purposes, are you aware that it would mean a fresh set of appliances?—Yes, but against that you would have the saving of the fresh water.

13301. But then there is the cost of pumping?—Well, a lot might be done with wind-mills, and you could further make it remunerative by erecting salt water baths all over the town.

13302. Of course you are aware that there is a salt water supply now?—Yes, but only for a certain part, and if it were extended throughout it would be a saving to the town generally.

13303. With regard to the question of voting, don't you think it would answer your requirements if the polling office were kept open from 8 a.m. to 8 p.m., and having polling offices in the wards where the elections are taking place?—That would remove the greatest difficulty.

13304. That is simply the way that it is done in England?—Yes.

13305. Then the present wards might require some re-construction?—Oh, yes; and that we would leave to the persons drawing up the Act. (*Mr. Jacob.*) We simply advocate the principle.

13306. And you would feel more confidence in the Council, or whatever body might be formed for governing the Peninsula, if its members were elected from districts or wards?—Undoubtedly.

13307. Because you feel that the members would take an interest in the localities concerned?—Oh, yes. You could keep your representative in touch with the needs of the particular place. I may say that Mr. Moore in his evidence said that it was too big a thing for amalgamation, and Mr. Ball again said it was too small, so between the two it would perhaps be a good thing to amalgamate.

13308. You spoke of the people washing clothes in your neighbourhood being hauled up; who hauled them up?—I understood it was the Town Council. (*Mr. Jacob.*) Town Council regulations. (*Mr. Dixon.*) If the police did it, why did they not then also go for the Council for allowing the state of things I have described in Somerset Road? I would also like to mention that we have not a single urinal out our way for the public, and the result is the frequent committal of nuisances.

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13309. This question of the removal of refuse is really a matter of detail which must be left to the public body?—Well, if you had a gang as I suggested, there is no reason why there should not be night cleaning as well, which would act in another direction, namely, assist the police in guarding against shopbreaking.

13310. Cape Town is not very well lighted, so that it would be difficult to have the cleaning done at night?—They could have movable lights.

TUESDAY, 24TH JUNE, 1902.

Present:

Sir W. Bisset Berry (*Chairman*).

Dr. A. J. Anderson.	Mr. W. E. Gurney.
Mr. T. Stewart.	Mr. J. E. R. de Villiers.
Dr. A. J. Gregory.	

Mr. John Louis Mitchell Brown, M.L.A., *Mr. Herbert Herring* (Municipal Clerk), and *Mr. Richard Henry Heward* (Municipal Engineer), of the Green and Sea Point Municipality, examined.

Messrs. *J. L. M Brown*, *H. Herring*, and *R. H. Heward* 24th June, 1902.

[Except where otherwise indicated the questions were answered by *Mr. Brown.*]

13311. *Chairman.*] You are, Mr. Brown, a member of the Municipal Council at Sea Point, though you are not the Mayor at present?—That is so.

13312. Can you give us some idea of the extent of your Municipality?—I cannot tell with exactitude. I do not think there has been a complete survey of it. Mr. Dunscombe put it down at a certain figure in 1891, but it is very much larger now.

13313. According to the figures of the Surveyor-General, it is 600 morgen or 1,200 acres in extent?—That may be correct.

13314. Is there any commonage?—There is a strip of ground running along the Green Point Common, and another small piece of ground, which might come under the name of commonage, but, in the ordinary sense of the term, we have no commonage. What is known as the Green Point Common belongs to the Cape Town Municipality. We only have a strip of that about 50 feet in width.

13315. Is your area very much built upon?—It is very much built upon. Within the past 4 or 5 years, in particular, there has been much building, and now there is not very much available upon the hill side.

13316. Probably, therefore, your population is not likely to materially increase in the future?—It will increase as the building operations continue in the direction of the Kloof Road. There are still large estates to be built upon. I refer to the Bellwood Estate and the Le Sueur Estate.

13317. Generally speaking, is your area rather closely built upon, that is to say, are there many open plots in the Municipality?—No. Properties have been very much cut up of late on account of the high price of land and there are very few large properties, except, perhaps, on the Beach Road, which have not been built upon, in addition to the places I have mentioned.

13318. Your population is mainly European, I believe?—Yes, it is mainly European; there is only a very small sprinkling of the coloured population.

13319. Is it the case that a very considerable proportion of your residents are people with business elsewhere than Sea Point?—Nearly the whole of the male population of Sea Point have their business in Cape Town. Within the last year or two a number of shops have been built in the Municipality, but, really, the great bulk of our residents are those having businesses in Cape Town, or, otherwise, clerks who are also employed in Cape Town. There are a few retired landowners who live there. We have no working population, and nothing in the way of factories.

13320. You have no important industries then?—We have no industries at all. We had a Sweet Manufactory, but it was burnt down.

Messrs. J. L. M. Brown, H. Herring, and R. H. Heward. 24th June, 1902.

13321. Has any effort been made during the past few years to ascertain the population of your area?—We have, recently, in answer to a request of the Government, taken some steps in that direction.

13322. Have you, as a Council, formed any estimate of the number of your population?—We consider that it is about 7,000.

13323. Has that population grown steadily during recent years?—It has grown very much indeed. It was very largely augumented by refugees from the Transvaal, but there are still such large numbers who come there to the boarding-houses that our population has been maintained. There are a number of boarding-houses in Sea Point, and many of the clerks of Cape Town live there.

13324. Is your Municipality constituted under the Act of 1882?—Yes, we are under the Scanlen Act. We did not become a Municipal Council until 1896. Previously we were not called a Council; we were simply styled Commissioners.

13325. Have you a special Act of Incorporation?—No, we have no special Act.

13326. Was your area ever included in the Cape Town Municipality?—Never, to my knowledge.

13327. Was it ever under what was known as the Village Management Act?—Not that I am aware of; my knowledge only extends about 22 years. Up to 1896 we were known as Commissioners, and our Chairman as simply "Chairman of the Commissioners." At that time we came under the Scanlen Act by which we became a Council and our Chairman the Mayor.

13328. Were you then under the old Municipal Ordinance?—It was a special Act of our own which was passed in 1859. This was afterwards repealed, with the exception of two sections which retained our right to water from the Cape Town Council and some other right. Then we came under the Scanlen Act.

13329. Had you any powers under the old Act which you did not get under the new Act?—Under the old Act we had hardly any powers at all. We could assess no rate without calling the ratepayers together. We were, in fact, entirely crippled in every way. We could do absolutely nothing at all.

13330. You are in a better position then by reason of the change?—Very much, and I may just take this opportunity to say that I noticed in the evidence given by Mr. Ball that he complained very much about our narrow streets and called them lanes, and said that it was only an inducement for the building of slum property. Our answer is that under the Act of 1859 we were powerless. We could not step in and say to anybody that they must put up a certain kind of property, and adhere to a certain building line. Neither, when people were dividing their property for sale into building plots, could we say anything as to the size of the plots; they could do as they pleased. Under the powers which we now have under the Scanlen Act and by reason of resolutions which we have adopted, which have been approved by the Governor, we do not allow any road of less than 30 feet wide.

13331. Would these evils have been obviated if, before 1859, you had been a part of the Cape Town Municipality?—No, I do not think so. If you look at certain portions of the Cape Town Municipality, that is to say in the upper of the town, you will find that they have a number of narrow streets. There is no improvement to be seen in theirs above ours and I do not think we would have been a bit better off had we been under the Cape Town Corporation. As for the word "slum" it can hardly be applied to Sea Point, because, although there are narrow streets, we have no coloured population and all the houses are occupied by respectable people.

13332. *Mr. Gurney.*] You had a debt on the 31st December last amounting to £88,000?—Yes.

13333. Upon which you are paying 3½ per cent. as to £45,500; 4 per cent. as to £37,500; and 5 per cent. on £5,000? And against that debt you shewed that you had certain assets in the amounts spent on improvements, such as main drainage, drainage ventilators, service water works, sewer flushing, Municipal Hall, stables, stormwater drains and road improvements set down at a total of £83,866?—That is so.

13334. May I take it that that represents the actual cost of the works referred to?—Yes.

13335. What would those works be worth now as actual assets? Can you give us for instance any idea as to the value of your Town Hall?—I should say that even as it stands now it would be worth more than the amount of £4,737, at which it is set down.

13336. Have you had your assets valued up to date?—No.

13337. And do you think that your stables are in the same position as the Municipal Hall in that respect?—I consider that all our buildings are worth more than we paid for them. Of course, with regard to the other permanent works I cannot give you their value, but being comparatively new they are not likely to have lost much by depreciation at present.

13338. Is the item of £4,717 the actual cost of your stock and plant, such as horses, carts, furniture, macadam, &c.?—That is taken at a valuation.

13339. We have made an abstract of the accounts which you have sent us for the last 5 years. By that it would appear that the total payments have been £71,004 19s. 2d. and the receipts £67,485 14s. 10d.?—Yes.

13340. You started in 1897 with an overdrawn balance of £397 3s. 8d., and at the close of the statement in 1901 you had an overdrawn balance of £3,196 8s. 1d. That is irrespective of the balances on the Loans Account?—Yes.

13341. That would seem to shew that, practically, up to the end of 1900, your receipts fell short by £3,000?—Yes, that would appear to be so.

13342. Has provision been made in the year 1902 to deal with this?—Of course, in this matter there were certain assets or outstanding liabilities, as against this £3,000, but, without going into that matter, we have brought this forward, and in the rate for 1902 it will be entirely swept away.

13343. One of the items in your expenditure is that of "Contribution to the Fire Brigade"—a contribution which was made in the years 1898 and 1899—of £50 and £66 respectively. In 1900 that payment ceased. Was that a contribution to the Cape Town Fire Brigade?—Yes; that payment had been made ever since I can remember. I know that under the old Municipality we gave them £50 per year, and for that amount they agreed to send their engines from town in the event of a fire at Sea Point.

13344. We had it, in evidence given by a Cape Town witness, that that undertaking on the part of the Cape Town Corporation was withdrawn owing to the Sea Point Council declining to pay for a post which was put up from which an alarm of fire could be given?—That is not exactly the case. We would have been quite willing to go on under the old system, but the Cape Town Municipality required us to undertake certain work in connection with fire service within our Municipality. They asked us to erect a suitable sub-station and pay the Corporation for the upkeep of the necessary appliances which would be required. We thought that if we had to build a station at Three Anchor Bay, which would also be available for the Cape Town area, it might be such an expense that it would be a question whether it would not be really worth while having our own Fire Brigade; consequently the arrangements with Cape Town broke down.

13345. Has Sea Point made any arrangements of its own?—At present the Council have not made any arrangements. We have had it under consideration, and we had the matter in view when we arranged our salt water pumping station at Three Anchor Bay. We have a tank with a capacity of 40,000 gallons at the top of Glengariff Road and arrangements have been made for hydrants connected with the main from this tank to be placed along the main road and these could be utilised in the case of fire. At present we have no actual provision against fire.

13346. Is this water carried along the main road?—Yes, the mains are there and it only requires the hydrants to be erected.

13347. During this period of 2 years in which Green Point and Sea Point have been unprotected, have there been any fires?—There have been two or three fires.

13348. And what has happened? Have they been allowed to burn themselves out?—Yes, that is what has happened. The biggest fire was the Sweet Factory and that burnt itself completely out. During the 22 years in which I have lived in the Municipality I do not think I remember more than five or six fires. We have been very fortunate in that respect, but, of course, in those days we were not so crowded as we are now. The buildings too were of a different character. I must say that now I look forward with some apprehension to the way in which buildings are being run up and crowded, and consider that we shall have more fires in the future than we have had in the past.

13349. Have the Council got this matter under consideration, or are they satisfied to allow the fires to burn themselves out?—No, they are not satisfied to allow the fires to burn themselves out. You see the real danger is not so much danger to property because everyone can insure his property against fire, but there is a danger to life, and that must be considered.

13350. Do the Sea Point people have to pay a higher rate of insurance than Cape Town people owing to their unprotected state?—No, I do not think they have. A new tariff had been recently brought forward but I do not think that will alter matters. I think that, for dwelling houses, the rate in Sea Point is the same as the rate in Cape Town.

13351. I see under the head of "Expenditure" an item of £323 for "Beach Account." Can you tell us what the nature of that expenditure is?—We employ a man, and sometimes two men, who are called beach overseers, whose duty is to see that the beach is kept in order. Frequently after storms seaweed comes up on to the beach, and it is the duty of the beach overseer to see that it is buried or carted away.

13352. I see that this expenditure of £323 is spread over five years. Has the work been successfully carried out for that sum?—Well, it is a matter of opinion. Our beach extends from Three Anchor Bay right round to the end of Sea Cliff. In former times a great many private drains ran down from the houses to the sea, but, since we have had our drainage works put in, these drains have been removed and, comparatively speaking, the beach is now clean. Sometimes I think we might have a a little better oversight of the beach.

13353. I see that under the same heading of "Beach Account," you have receipts amounting to £177 4s. 6d.?—Yes; that is the proceeds of the sale of sand and shell gravel. We formerly used to get a much better revenue under that head, but, owing to the people who removed this sand and shell gravel digging holes and making the beach unsightly, and also offensive by reason of the sea weed getting into the holes and decaying, we were very much opposed to giving permits for the removal of the sand. Now, the permits are limited to a load or two occasionally, for private work.

13354. Hence the fall from £50 per annum to less than £10 per annum?—That is so.

13355. What are these two items of expenditure, "Estate of Le Sueur £17 10s." and "H. A. Gibbs £45"?—Gibbs is a clerk in our offices and that is an item of salary. (*Mr. Herring.*) With respect to the Le Sueur account: when the water works were taken over, the Le Sueur Estate had the right to a certain quantity per annum. We acquired that right by purchase and that amount of £17 10s. was one year's payment plus the legal expenses of drawing the deeds.

13356. Where is the other expenditure under that heading?—(*Mr. Herring.*) It is in the yearly vote for waterworks.

13357. The total amount spent on your water works has apparently been £7.895 4s. 8d?—Yes, but that is only with regard to the water used for Municipal purposes, such as for flushing the drains, watering the roads, and water supply to the stables. It has nothing to do with the ordinary water supply to the inhabitants.

13358. On drainage and sewerage you have spent £50,386 18s. 7d. and have an unexpended balance of £1,903 1s. 5d.?—Yes.

13359. Is that balance sufficient to pay your liabilities in connection with the scheme and close the matter off without any further loan?—(*Mr. Herring.*) This £1,900 is not actually cash in hand, but it represents a large number of pipes and other things. (*Mr. Brown.*) Of course there is no finality to drainage—I mean at present—because, as the Municipality extends, more works will be required. We shall have to go to the Bellwood Estate where a large number of houses are going up.

13360. Do you intend to cover that out of your annual revenue or raise another loan?—We shall have to borrow more money to do the work; we are not proposing to pay it out of the rates.

13361. *Chairman.*] Under the heading of "Interest" I find that you have loans at 3½, 4, and 5 per cent. Of these loans, which was the one last raised?—The one at 4 per cent. I may mention with regard to this loan of £5,000 at 5 per cent., we wanted money for a certain work at a time when the money market was tight and the Municipality could not borrow money with any great facility, so that this loan was given to a private individual.

13362. Has anything been done in the matter of a Sinking Fund to meet these loans?—I am sorry to say we have not yet been able to do anything.

13363. Under the expenditure heading I notice that you have "Wages" entered for 1897 and 1898 and then the item suddenly breaks off. What is the reason for that?—In 1897 and 1898 the wages were all lumped together in one account, but then we found that it would be a better check on the expenditure, in regard to keeping it within the estimate of revenue, if we distributed the wages over the various works, so that now when a man is engaged on a certain work his wages are debited to that work.

13364. *Mr. Gurney.*] What is this matter of "pension"?—That was a pension which was granted to the late Mr. Henry Solomon some years ago. We have of course no power now to grant pensions. This was granted at a meeting of ratepayers before we came under the Scanlen Act. The pension was not one of £75 per annum as would appear from this statement, but one of £150 per annum. I cannot explain why it figures as only £75 per annum.

13365. *Chairman.*] I see an item under the head of "Scavenging," which begins with £201 7s. 11d. in 1898 and reaches, by rapid increases, the amount of £4,071 3s. 11d. in 1901. What are the reasons for this sudden increase?—This matter of scavenging is one that has caused considerable discussion in the Council. We were very much alarmed at the proportions to which it had grown, especially since 1899. The increase is, of course, largely due to the increase of population, and then the increase for 1901 is a special one, as the amount of scavenging done in that year was far in excess of the ordinary scavenging, in consequence of the plague. Before the

refugees came to Sea Point, the ordinary boarding-house did not have a very large number of inhabitants, but, with the influx of the refugees, these places became terribly overcrowded, and we had a great deal more refuse to take away from them than before.

13366. What do you include under the head of scavenging?—We included the collection of house refuse under the head of scavenging in 1901.

13367. Do you propose to continue that large expenditure or will it decrease?—We are reducing it. By the erection of a tip, by means of a little tramway which runs the refuse from the cart out to sea, we are materially reducing the expenditure. It was very much larger when we had to dig trenches and bury it.

13368. I notice that the expenditure on the item of plant has very much increased since 1898?—Yes, and it is not unlikely to go on increasing. We are doing this work ourselves and, of course, have to continue increasing our plant.

13369. *Mr. Gurney*] Is your refuse all tipped into the sea?—Yes, we have built a little tramway on the rocks and that carries the refuse out to sea. Formerly the expenditure was very great. We had to take the refuse out of the cart in wheelbarrows and wheel it away to the trenches which we had dug for it. Now all that we do is to tip the cart into one of these trucks which is run out to sea, where it shoots its contents into the waves.

13370. That is surely not a very attractive feature of a sea side resort?—As far as experience has shewn, there is very little nuisance connected with this system. It goes into the sea and never returns except perhaps, in some instances, a few tins return, and even they come back clean.

13371. Does that work of removing these tins come within the province of the beach overseer?—They do not come up on the beach at all. The tip is right out upon the rocks. The tipping is done at low water and when the tide comes in it carries everything away and nothing gets upon the beach proper. The collection of the tins that come back is included in the expenditure of house refuse or scavenging.

13372. *Chairman.*] It has been stated that some objection has been raised to this tipping site on account of the odours. Have the Councillors any idea of that?—It is a most difficult thing to find out the actual facts. I cannot state personally that odours do arise from the tipping site. I live a very great distance away and therefore, from personal experience, I can say nothing. Complaints have been made. When we first put the refuse there and buried it, there was a very great odour, in fact it became such a nuisance that Mr. Steytler obtained an interdict in the Supreme Court against us.

13373. *Mr. Gurney.*] On what ground did the Municipality feel itself justified in paying £104 to the Town Guard out of the Municipal funds?—It may have been an ardent spirit of patriotism.

13374. Do you think that there is anything in the Act that covers that expenditure?—It may have come out of something other than rates.

13375. *Chairman.*] Did you perhaps consider it as a sort of extra police?—Perhaps it might have been put under that heading.

13376. With respect to the provision of water to the inhabitants of Green Point and Sea Point: I believe that your supply comes from Cape Town?—Our entire supply to the inhabitants comes from Cape Town by virtue of an Act by which we are placed in the exact position of the ratepayers of Cape Town. They have to supply our ratepayers at the same price as their own.

13377. Have you any independent source of supply?—We have a small reservoir which we purchased from the old Sea Point Water Works Company, the Municipality exercising its right of purchase under the original agreement with the Company. It is a small supply which we utilise usually for flushing and road watering purposes. The inhabitants, themselves, do not receive any for household purposes. It is a very small supply, quite inadequate to meet the requirements of the Municipality. When we started with it we could only convey the water to Three Anchor Bay and even, at that time, many of the people used to get their water from Cape Town and use the Sea Point water simply for garden purposes. We never had a sufficient supply for the whole of the inhabitants, and it would be hopeless now to consider attempting anything of the sort.

13378. Does the Cape Town Corporation supply you by bulk or does it supply the individual consumer separately?—The supply is to the individual consumer exactly the same as if he lived in Cape Town.

13379. Does the consumer pay the water charge to Cape Town or to you?—To Cape Town direct. The whole machinery is in Cape Town.

13380. If there is any complaint to be made by a Green and Sea Point consumer, to whom does he make it?—He has to make it direct to headquarters in Cape Town. During the season of the scarcity of water a few months ago, when complaints were so

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numerous and required dealing with promptly, the Town Council of Cape Town arranged with us that complaints might be received at the Sea Point Municipal Office. The usual thing is that, if you are short of water, you go to the Town House in Cape Town and make your complaint.

13381. Have you suffered much from scarcity of water in recent years?—During the water famine of a few months ago we suffered somewhat considerably. There was such a scarcity and the complaints were so numerous that we formed a deputation and waited upon the Cape Town Council. They informed us that they had only sufficient water to supply the consumers for a month or six weeks. We in Sea Point got so alarmed in consequence that we went to the expense of getting a small gas engine, at a cost of about £300, to pump water into our reservoir so that we could give a supply to a great many people to enable them to flush their closets. When we asked the Cape Town Council to pay us for our outlay, which really was a case of coming to their assistance, we did not get a very favourable reply.

13382. Is your supply on the dribble system with storage by means of tanks?—Yes.

13383. What is the justification of that system, do you think?—I really do not know. There has been a lot of opposition to it. Our late Medical Officer, Dr. Pearson, wrote very strongly against the evils of the dribble system and the tanks. There is no doubt that a great deal of sickness is caused by foul tanks. We have no power to send an inspector round to examine these tanks.

13384. The water supplied is unfiltered, is it not?—Yes.

13385. And is it the case that sometimes the private supply pipes become choked with sand?—Very frequently.

13386. And the water runs very feebly into the tank, I presume?—Very.

13387. Then might not that be the explanation for householders wishing to continue the dribble system so that they can store their water, and get it when, otherwise, there might be a failure in the supply?—That might be so, but as soon as a man finds that his pipe is choked he sends to Cape Town and the pipe is opened again.

13388. Will they always come when they are asked?—Yes, I have found no difficulty in getting my complaints redressed upon application.

13389. It has been represented that one reason why the dribble system is adhered to by many ratepayers is that the pipes tend to become blocked by sand or other detritus, and they fear that there is no possibility of getting a good running stream of water to their houses?—(*Mr. Heward.*) It is not the pipe that blocks. There are two taps to each connection. The first one is turned on, but the second is blocked by a plug which bears a very small hole through which the water dribbles at the rate of 100 or 200 gallons per day, according to the quantity that is paid for. It is that small hole which is liable to be blocked with the sediment from the main.

13390. Is there any way of scouring these pipes?—(*Mr. Heward.*) The mains can be kept clean.

13391. Is it ever done?—(*Mr. Heward.*) That is Cape Town's business; I cannot say.

13392. May not the householder clear a block in his pipe?—No, the householder is not allowed to touch the pipe.

13393. This small plug, and the liability of its being blocked, practically compels the householder to continue the use of a tank?—Yes. If there was no tank a man would have to wait half an hour for his bath to be filled through the small dribble hole.

13394. Have you any scheme, or any proposition, for increasing your water supply?—No, we are entirely dependent upon Cape Town.

13395. Do you anticipate that your consumption of water will increase considerably within a measurable distance of time?—I think it will materially increase.

13396. Have you any idea of the quantity of water drawn by your suburbs from Cape Town?—In 1901 the consumption of water for domestic purposes was 244,450 gallons per diem.

13397. Is that an estimate of actual consumption or is it an estimate based on what has been actually paid for?—I cannot say; the figures are taken from the Cape Town books.

13398. Is there any considerable quantity of water used for building purposes?—It is estimated that 10,900 gallons per day is used for building purposes.

13399. And for other purposes?—For street watering purposes 19,000 gallons per day are used. The total consumption of water is 2,753,600 gallons, exclusive of the salt water supply of 40,000 gallons per day.

13400. In the summer time are there many complaints about the scarcity of water for domestic and garden purposes?—It was only last year that there was any serious complaint. There would be ample water supply if we were really getting the quantity of water paid for. We do not always get what we pay for.

13401. Do you think that the demand for water is likely to increase in the future?—Yes, very shortly it will increase because there are a number of houses being erected and a number more will shortly be erected.

13402. Do you think that the demand for water for gardening purposes is likely to increase?—Yes, because nearly every house has its own little plot of garden.

13403. What do you consider the maximum that should be provided for Green and Sea Point?—It is very difficult indeed to say.

13404. Do you think that the demand is likely to be doubled within the next 10 years?—I would not care to say that, but I think that there will be an increase of between 50 and 60 per cent. I do not think it will be more than that unless we agree to allow the building of a number of small tenements, which I hope will not be done.

13405. Then your prospective needs in regard to water are not of any great magnitude?—No; I do not think that they are very pressing.

13406. *Mr. Gurney.*] As a matter of fact the Green and Sea Point people are on exactly the same footing as Cape Town people for water, except that they are not responsible for the debt incurred in its supply as the Cape Town people are?—That is so.

13407. Then they have an advantage in that respect?—Yes, but still they have the disadvantage also that whereas Cape Town is making a profit from its water, which goes to assist the general revenue, we do not participate in any profit.

13408. Are you not aware that the profit derived from the water supply by Cape Town is not derived from the charge to private consumers but from the shipping?—So it is said, but I was always under the impression that the water was a very paying concern.

13409. For all practical purposes, as regards water, Green Point and Sea Point are a part of Cape Town now?—Yes.

13410. *Chairman.*] Can you give us the number of houses in your Municipality?—(*Mr. Herring.*) There are 1,192 houses of which 1,114 were supplied with water in 1901. The difference is accounted for by the new houses erected in the past year. As soon as a house is built it is supplied with water.

13411. *Dr. Gregory.*] Is every house compelled to take a supply?—Yes, compulsorily.

13412. Who has the right to compel them?—(*Mr. Herring.*) We have the right under our Act to compel people to take an adequate water supply.

13413. *Mr. Stewart.*] Have you formed any idea about the advisability of substituting a direct supply from the water pipes in place of the existing dribble system?—I cannot say that I am competent to give any information, as I really have not gone into it.

13414. With reference to the water famine of last summer, on what grounds did the Cape Town people reduce your supply? Was it entirely on the ground that they had not enough water?—Yes.

13415. It was not purely a local dearth of water at Sea Point owing to the insufficiency of the pipes?—No, it was on account of the scarcity of water generally.

13416. Was that reduction in the supply a justifiable one as far as you know?—We hardly thought that it was, because, after we had gone to the expense of buying the engine I have spoken of, on the understanding that there was only enough water for another month or six weeks supply, we found that even before the rain came people were getting their water just the same as before. I do not think that the really serious water famine lasted for more than about three weeks.

13417. You do not know that at the end of the dry season Cape Town had practically two months' supply still in store?—That was in the papers, but when we went, as a deputation, to the Town Council we were informed by the Chairman of the Water Works Committee that they had barely six weeks supply left. We were very anxious about the situation and did all we could to relieve the pressure on the Cape Town supply.

13418. You referred to sand blocking up the pipe. That is surely not a difficulty that you would expect to occur if you had an ordinary stop cock which you could turn full on?—No.

13419. Then it is merely another difficulty, amongst the many, arising out of the dribble system?—That is so.

13420. *Mr. De Villiers.*] Has Cape Town ever levied a rate upon you in connection with their water works?—Not that I remember.

13421. They have the right to do so under the Act of 1893, have they not?—I do not think so. I certainly do not remember that we ever had a rate levied upon us.

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13422. The sections 118, 119 and 120 of Act 26 of 1893 read as follows:—

118. "The inhabitants of the Municipality of Green Point and Sea Point shall have the right, and shall be entitled to be furnished and provided from the waterworks now existing, or which may hereafter be made, erected or provided, for supplying water to the inhabitants of Cape Town, with a supply of water in the same proportions, on the same terms, at the same rates, under the same obligations and under the same regulations, in, on, at, and under which the inhabitants of Cape Town shall for the time being have, or be entitled to have water supplied to them; and subject always to the payment of the rates which by the terms of this Act the Council have power to levy upon the immovable property within the Municipality of Green Point and Sea Point; and in consideration of such water rates to be paid by the inhabitants of the Municipality of Green Point and Sea Point as aforesaid, the Council shall, and they are hereby required to provide, keep in good order and repair, a main pipe extending from the said waterworks as far as the main pipe by which water is now supplied to the inhabitants of Green Point and Sea Point at present extends, for the due supply of water to the inhabitants of the Municipality of Green Point and Sea Point.

119. The Council shall in the month of January in every year make and frame a true and accurate account in writing showing the actual cost of the Municipal Waterworks with its appurtenances and appliances for the supply of water calculated up to the 31st day of December then last past. When such account has been framed a statement shall be prepared with a view to estimating the sum which will be required for water supply and waterworks for the then current year. In preparing such statement the Council shall add together the amount of the interest on the actual cost aforesaid, calculated at the rate of five per cent. and a fair and reasonable amount as an allowance for depreciation. From the sum of these amounts shall be deducted all revenue derived during the year last past from the sale of water by the Council in the Municipalities of Cape Town and Green Point and Sea Point, and the deficiency found shall be the estimate of the sum required for the purposes of water supply and waterworks during the then current year.

120. The estimate arrived at in the last preceding section shall then be divided in the proportion which the true and just valuation of the immovable property in the Municipality bears to the true and just valuation of the immovable property in the Municipality of Green Point and Sea Point. When by this means the fair proportion of moneys required from the inhabitants of the latter Municipality has been obtained, it shall be lawful and competent for the Council to impose and levy a rate on the valuation of all immovable property in the Municipality of Green Point and Sea Point sufficient to cover such fair proportion; provided always that such rate shall never in any one year exceed three-fourths of a penny in the £ upon such valuation, and that if it be necessary to levy a rate the Council shall never be required to levy a rate of less than one-eighth of a penny in the £.

So that you see they have the power to levy this rate?—I believe now, that, some years ago, they did levy a small rate upon us and, as far as my memory serves me, an objection was taken to it. For several years past now there has been no rate.

13423. *Mr. Gurney.*] I suppose you would contend that the power to levy the rate is only given in the event of Cape Town having a deficiency? Quite so.

13424. *Chairman.*] I see from the memorandum with which we have been furnished that you say your drainage scheme is practically complete and, to all intents and purposes, all the houses are connected?—There are very few indeed which are unconnected with the drainage system. I believe there are only 9 houses still undrained.

13425. Will these be attended to in the future?—Ultimately, but they are at present very outlying places. You may say that they are self-contained and there is no nuisance connected with their sanitary arrangements.

13426. You have carried out your drainage scheme under compulsory powers? You worked under an Act which gave you powers to compel every householder to connect?—Yes, by virtue of resolutions of the ratepayers, from time to time, we have promulgated certain regulations which have of course obtained the sanction of the Governor and these have given us ample powers.

13427. Your Act was passed in 1896 or 1897, was it not?—1896: and I may say, in this connection, that it would be one of the greatest of boons to this Colony if we could get someone to consolidate the Municipal Acts of the Colony. There are a large number of them at present.

13428. I see that on the collection of refuse you have spent a large sum of money. Will you please explain your system of refuse collection?—The refuse is collected from house to house by carts. The collection is daily, except in summer time when there are sometimes two collections per day. The normal collection, however, is one per day. When the carts are full they are covered with tarpaulins and the refuse is carted down to the beach and tipped into trucks which are run along the tramway and emptied into the sea. Before our drainage system was in rder the system of nightsoil collection was a very unpleasant one. To get thorough the work in time it had to be begun at 8 o'clock in the evening which was very unpleasant to anyone out of doors at that time. That system of collection has now been entirely done away with.

13429. What portion of the expenditure of £4,000 has been devoted to street sweeping collection?—(*Mr. Heward.*) The collection of house refuse cost nearly £3,000 out of the total. In 1901 we had some very heavy storms and as our kerbing and guttering was not completed, to carry off the stormwater, a large quantity of material was swept down on to the main road by the rain after every storm, and we had to clear off large quantities of it at considerable expense. (*Mr. Brown.*) The Councillors themselves thought that there ought to be a division made in the two items of expenditure. We anticipate that there will be a reduction next year. The estimate is that £2,500 will be spent in collecting house refuse and about £1,000 for street sweepings. (*Mr. Heward.*) So far we have kept within the estimate.

13430. In the matter of provision for stormwater drainage. Do you consider that the work you have now under way and which you expect will be completed in about another year will be all the work that you will be required to do?—(*Mr. Heward.*) No.

13431. What is your provision for stormwater drainage?—(*Mr. Heward.*) We have put in gulley pits and pipes to carry water across the road. We have no underground storm water system; it is all surface drainage.

13432. And there is no drain for collecting this water? Only the street gutters.

13433. Where does the water run down from the sides of the mountain?—It comes down by the hill-side roads. Each brings its own share of the water. There is no doubt that, later on, a stormwater underground system will have to be provided.

13434. Does not the flow down the streets damage them every time that there is a storm?—Yes, and the more houses erected the more the water is concentrated.

13435. Have plans been provided for an underground stormwater system?—None whatever.

13436. Will it be an expensive system to carry out?—Yes, I think it will. All the Green Point water will have to go to Three Anchor Bay; but still I do not think it will be so costly as a system would for some of the other Municipalities, because we would be able to run an open culvert right along the common.

13437. Is property ever in danger of stormwater?—No.

13438. Are houses ever flooded by it?—No.

13439. *Dr. Gregory*] Where is the outfall for your sewage?—At the bottom of Norfolk Road.

13440. How far from the Cape Town outfall?—About a mile. The Cape Town outfall is near the Flash Lighthouse.

(From this point *Mr. Heward* answered the questions.)

13441. Is your outfall on a promontory or is it in a bay?—On a promontory.

13442. How far to sea does it run?—I cannot say exactly, but somewhere about 100 yards, I believe.

13443. At one time there was a certain amount of sewage washed on to the beach?—That was before the last few of the pipes were put down.

13444. Is there any washing up of the sewage now?—No.

13445. Neither on your beach nor lower down at Green Point?—No, it is carried right out to sea.

13446. What is the size of your largest drain?—The main outfall is 15 inches in diameter.

13447. And what is the size of the main drain?—The majority of the main drains are 9 inches in diameter.

13448. Are there any brick drains, or are they all pipes?—All pipes.

13449. Are you aware that a considerable nuisance arises owing to the fact that bad smells come from your drainage ventilators?—I have heard of it.

13450. And these complaints have been going on for two or three years, have they not?—I think that, in the majority of the complaints, the cause was, in the first place, owing to the small number of the houses connected to the drains. There was not sufficient flow in the sewers to clear them. Now that all the houses are connected, and we have instituted a salt walter flushing scheme, there is not that smell.

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13451. Where are these flushing tanks?—They are principally on the High Level Road. There are seven of them in all.

13452. But are you not still receiving complaints about the smell?—Every now and again we get a complaint. Certain winds seem to affect the matter, but it is very seldom now that we receive complaints.

13453. Is it not a fact that a well constructed sewer should not smell at all?—I do not know of any that do not smell at some time or other.

13454. Does not the fact that such offensive smells are generated point to a deposit going on somewhere?—A deposit would cause the smells.

13455. Fresh sewage running through a pipe sewer, properly laid, ought, in practice, really to cause no smell at all?—It should not.

13456. Has the question of the proper gradient of these pipes been considered by you?—The drainage system was nearly completed before I joined the Council.

13457. But the question as to whether the drains have been properly laid down has not, I presume, been suggested to your mind?—Along the Main Road and the Beach Road there is very little fall, but still sufficient with the quantity of sewage flowing there; it should clear itself away.

13458. Does not the suggestion arise that these sewers may be what is ordinarily termed sewers of deposit?—I do not think they are. We have not found them so.

13459. Then to what do you attribute the very offensive odours?—There must always be some slight smell. The manholes have now been closed and we have ventilating shafts erected. It is only when there is a certain wind blowing which drives down the gas instead of allowing it to rise that there are complaints, and that is very seldom.

13460. What height are your ventilators?—Some are 35 feet and some are 30 feet in height.

13461. Does it not occur to you that it must be a very powerful smell indeed which can be blown down a distance of 35 feet and yet create a nuisance?—There are not so very many ventilators, and, of course, the fewer the ventilators the more the smell that must go up them.

13462. Have you made observations, either through the manholes, or by other means, to ascertain whether the sewage does flow off rapidly?—We get a little deposit in the Beach Road and Main Road drains but that is principally the sand that gets into the drains from the manholes which are still open. On the hill sides the flow is so great that I do not think it is possible for any deposit to remain.

13463. Is it quite clear to your mind that there is no obstruction left in any of these pipes by the contractor?—We have never found any. We take the sand out now and again but we have never found any obstructions in the drains.

13464. As a matter of fact your system is remarkably well ventilated, is it not?—Not extremely well ventilated. We are about to put up some more ventilating shafts.

13465. How many of these shafts have you put in?—Between 30 and 40, and then some of the tram poles are utilised for that purpose.

13466. How many of the tram poles?—I cannot say, but over 100, I think.

13467. Then with all these tram poles and ventilating shafts your drains should be well ventilated?—Yes but there is more ventilation even than that. Whenever there is a combined drain to three or four houses we always put one direct ventilating shaft there.

13468. On the sewer side of the trap?—Yes, in addition to the ordinary ventilation of the houses.

13469. Considering that your system is so well ventilated, and that it is only a small pipe system you would scarcely expect to have so much nuisance arising from it?—Scarcely.

13470. Was the drainage contractor properly looked after when carrying out the work?—Yes, I believe that Mr. Cooper was very active in looking after these drainage works when they were being carried out.

13471. Have you taken any systematic observations to ascertain whether there is any fault in the gradient or whether there is any obstruction left in the pipe?—In the case of any complaint the sewers are always examined. So far we have found nothing of that sort.

13472. How do you examine them?—By putting down a lamp and looking through a pipe. Every section can be examined in that way. In no case have we found any obstruction or any deposit.

13473. With regard to your refuse tipped on a trolley and run out to sea, are you satisfied with that, as a Sanitary Engineer?—No, I am not, but under the circumstances under which Sea Point is placed at present it is the best thing they can do without going outside their own district.

13474. Supposing that Sea Point could avail itself of the same system for removal

of refuse as Cape Town, would it not be a great advantage?—I think there would be just as much nuisance as at present. You would have to have a train standing in some part of the Municipality to be loaded with refuse and you would get more nuisance than you now have, when the refuse is simply tipped into a truck and shot into the sea.

13475. So that in your opinion the only solution of the difficulty is the erection of a destructor?—Or a converter.

13476. Has that matter been before the Council?—They have the matter now under discussion.

13477. What is the estimated expenditure?—According to the offer made at present it would save the Council the cost of running the stuff out to sea. They will merely have to cart the refuse to the works.

13478. But who is to defray the cost of the works?—The Syndicate.

13479. What Syndicate is that?—The Pyrojim Syndicate.

13480. They are really trying to exploit all the Municipalities in the Peninsula, are they not?—I believe so.

13481. Have the Council considered the question of entering into an agreement with this Syndicate?—(*Mr. Brown.*) No.

13482. If the Syndicate can do this work at a profit, why cannot the Council?—(*Mr. Brown.*) That is a very pertinent question and one which we have to consider, but the great difficulty now is that of finding a suitable site. We cannot take the works on the Hill. You cannot put them on the beach, because wherever these carts go they will be bound to create a nuisance. Up to the present we have not been able to find a site anywhere.

13483. Is there any available site within the Cape Town area that could be utilised for it?—(*Mr. Brown.*) We thought of a piece of ground at the end of the Common near Three Anchor Bay, and we came to the conclusion that if we could arrange with the Cape Town Council for the site it would be one of the least objectionable in the neighbourhood.

13484. Has the Cape Town Corporation been approached in the matter?—(*Mr. Herring.*) We have approached them, but the matter will not be considered until after the Coronation festivities are over.

13485. Would it not have been a good thing to combine with Cape Town in this matter?—(*Mr. Brown.*) The only objection to that would be that if there is only one station all the refuse would have to go through the Municipality towards it, and if the site was at Green Point I do not think that the Green Point people would be very happy about it.

13486. Does not that illustrate the wisdom of having one body to deal with matters of this description, so that they can strike a balance and do the best for all parties concerned?—(*Mr. Brown.*) Well, I do not know. I do not think that there would be very much advantage to be gained by that. They might have more arbitrary powers and act more unjustly than representatives nominated by the people themselves to look after their interests.

13487. You admit that unless Cape Town concedes something you are in a very great difficulty to know how to dispose of your refuse?—(*Mr. Brown.*) I do not know quite so much about that. It would no doubt be a great advantage, though perhaps not a very much greater advantage than the present system. If you had a central place for this refuse you would have to carry it right through the Municipality and I think that would be a great nuisance.

13488. But it has to be carried through portions of the Municipality at the present time?—(*Mr. Brown.*) Yes, but it is far away from any house and is tipped right into the sea, so that I do not think any nuisance arises from it, although on that point I am not prepared to express a definite opinion. I am merely a layman in the matter.

13489. You will agree that it is not a desirable thing to have these refuse works defacing the beach and foreshore, even to put the best appearance upon the matter?—(*Mr. Brown.*) It is not defacing the foreshore very much, and it does not affect the beach. The stuff is run out right on to the rocks.

13490. When you began your drainage operations would it not have been possible for you to have drained into the Cape Town scheme?—(*Mr. Heward.*) I do not think so; at any rate not without pumping.

13491. Could not an economical combination have been carried out in regard to having one common outfall?—(*Mr. Heward.*) It might have been done if it had been considered from the commencement, but it would have necessitated a different scheme altogether to the one which was eventually adopted.

13492. But would it not have been more economical in the long run?—(*Mr. Heward.*) I do not think so, because it would have necessitated pumping, and we have no pumping at present nor are we likely to have.

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13493. *Mr. Gurney.*] With respect to these ventilating shafts which you say are 35 feet high, is it not a fact that most of the complaints as to the smell come from people travelling on the tops of the trams and therefore in an elevated position?—(*Mr. Heward*) I think that as far as the people on the tops of the trams are concerned the smell they complain about is not from the ventilating shafts or from the ventilating tram-poles but is from the decomposing sea weed on the beach. After every storm the beach is covered with sea weed which, if not immediately cleared away, decomposes and emits rather a powerful smell.

13494. Does the drainage from the Green Point Camp go into your system?—(*Mr. Heward.*) No, into the Cape Town system.

13495. Does the sewer outfall deliver below low water mark?—(*Mr. Heward.*) Yes.

13496. *Dr. Anderson.*] Is there a flap at the end of the outfall?—(*Mr. Heward.*) Yes.

13497. Have you any idea of the currents just where the outfall is?—(*Mr. Brown.*) We had a careful investigation made before placing our outfall at that spot. Mr. Cooper was got out from England as an engineer, with Mr. Olive as consulting engineer. The currents were taken.

13498. Can you tell us what direction the currents take there?—(*Mr. Heward.*) They run out towards Robben Island. The current sweeps right round there.

13499. What is the average distance between the ventilating shafts?—(*Mr. Heward.*) Roughly about 1,000 feet. They are put at the tops of the hill-side roads. The tram-pole ventilators are very much closer together.

13500. What diameter are the tram-pole ventilators at the top?—(*Mr. Heward.*) About four inches.

13501. Can you tell me the various gradients of the main intercepting sewers?—(*Mr. Heward.*) The gradient varies. In some places it is 1 in 400.

13502. Is 1 in 400 the lowest gradient?—(*Mr. Heward.*) Yes, that is the lowest gradient.

13503. Is that for the 15 inch pipe?—(*Mr. Heward.*) Some of the pipes are 12 inches and some 15 inches. Of course on the hill side our difficulty is to keep the gradient down. It is often as much as 1 in 10 and 1 in 15.

13504. Have you any ventilating openings to the drains at the level of the ground?—(*Mr. Howard.*) Very few indeed.

13505. Are the manhole covers not open?—Originally they were, but owing to the complaints when the drainage was first used, they were closed. (*Mr. Brown.*) They were closed because of the very strong complaints which were made. The engineer protested against their being closed, and said that when all the houses were connected the smell would not be so noticeable. The complaints however were so strong and frequent that we were obliged to cover the manhole openings along the main road.

13506. Have you made any observations as to the effect of the tides on these sewers? They do get tide-locked more or less, I presume?—(*Mr. Heward.*) No observations have been made.

13507. With regard to this plot of ground you are asking from the Cape Town Municipality, what do you propose to place upon it?—(*Mr. Brown.*) The necessary buildings in which to convert the refuse.

13508. *Mr. Stewart.*] Have you had an independent investigation as to the cause of these bad smells in your sewerage system?—(*Mr. Heward.*) Whenever a complaint has been made the sewer is examined.

13509. Have you had investigations made by any experienced engineer from outside?—(*Mr. Brown.*) No, except that Mr. Cooper has been called in once or twice.

13510. No other effort has been made to discover the cause?—(*Mr. Brown.*) No. the complaints are not now so frequent as they were—at least official complaints which come to the notice of the Municipality. It is only on rare occasions that the smell is noticeable. It generally occurs on a sultry day, when the atmosphere is heavy and when, towards evening, a slight westerly breeze springs up. Then you get the smell. It is very unpleasant, no doubt, while it lasts.

13511. Mr. Dunscumbe originally designed this scheme, did he not?—He did.

13512. Have you ever communicated with him since the construction of the works?—No.

13513. Do you not think that it would be desirable to communicate with him that he might have an opportunity of looking into this matter?—I do not think that it is a matter of such acute necessity, We are doing all that we can to minimise the nuisance. We have now written to England for a man to be sent to us who shall not only have a theoretical but a practical knowledge of sanitary matters, and we are intending to put the drainage system entirely under his supervision. We find it is necessary because

our engineer has a great many things to do in connection with buildings, &c., and we want a man with a special knowledge of drains. I do not think that up to the present there is much more nuisance than may fairly be called inseparable from a drainage scheme.

13514. *Dr. Gregory.*] Do you consider that nuisance is inseparable from a drainage scheme?—That is what I am told, that there is hardly a single drainage scheme in the world where there is not some little nuisance.

13515. Is that your view, Mr. Heward? Do you not say that in a well laid and well planned drainage scheme there should be practically no offensive smell whatever?—(*Mr Heward.*) I do not go quite so far as that.

13516. *Chairman.*] How is it that we have no complaints from the Cape Town people about smells from their sewers?—A great many complaints might be obtained from Cape Town about the sewers.

13517. We have been told by a witness that, directly he comes under a ventilating shaft of the Sea Point drainage, he gets a strong whiff from it. Are you inclined to say that that is not in accordance with fact?—I would not say that, but if the person who complains would let us know where he got this smell we would enquire into the matter.

13518. Do you say that some smell is unavoidable in a drainage scheme?—(*Mr. Heward*) At certain times you are bound to get a little smell but you generally get very little in a properly constructed scheme.

13519. In making a comparison between the ventilating shafts at Green Point and the ventilating shafts at Cape Town it must be said that we have had no such complaints of the latter as of the former, namely, that passers-by in the immediate neighbourhood of a shaft apprehend these smells much more often than they like?—(*Mr. Heward.*) That may have been some time back, but not lately.

13520. Is there something abnormal if it exists?—(*Mr. Heward.*) Yes.

13521. Sewer gas is not heavier than air, is it?—(*Mr. Heward.*) No.

13522. Then how does it come down from the tops of these ventilating shafts?—(*Mr. Heward*) The wind must drive it down.

13523. Do you contemplate that you will eventually get quite rid of this nuisance?—(*Mr. Heward.*) There has been great improvement since additional ventilating shafts have been erected and there will be still more improvement when there is more flushing of the drains.

(*Mr. Brown* now recommenced answering the questions.)

13524. I understand that your streets are somewhat of a trouble to you owing to the peculiar situation of the Municipality?—We have no good material to put upon them.

13525. The whole of the Peninsula seems badly off in that respect?—Yes, there are very few good roads anywhere in the Peninsula except at Constantia, and there there is not much traffic nor do they get quite such fierce winds as we do.

13526. There is no Divisional Council road in your area, I believe?—No, the Divisional Council road begins at the Victoria Road, and the road that goes round the Kloof.

13527. But the Divisional Council levies rates on the Green Point Property?—Yes.

13528. And in consideration of there being no main road in your Municipality they are giving you a grant of £500 per year which they intend to increase to £1,000 a year?—Yes. It was only after great trouble that we got a grant of £500 per year. We felt the injustice very much of being taxed for the upkeep of roads outside our Municipality without getting any benefit. We have to maintain nearly five miles of road which should really be maintained by the Divisional Council, because, since the Victoria Road has been opened up, it has become a great pleasure drive, and an enormous traffic passes over our roads to go to this Victoria Road. I am quite of opinion that the time has now come when the Divisional Council should be abolished and each Municipality should maintain its own roads, and that there should be no further payment of Divisional Council rates.

13529. You nominated a delegate to a certain Conference at which a resolution was adopted with reference to the abolition of the Divisional Council. Was that resolution considered by your Council?—I do not think that it was brought before us.

13530. Would your Council in the event of the non-levying of further Divisional Council rates and your taking over the maintenance of your own roads be in favour of giving any contribution towards the maintenance of the outside roads?—I think we would feel inclined to give favourable consideration to that matter.

13531. Can you give us any information with regard to public lighting in your area?—We have a contract with the Cape Town Gas Lighting Company and we consider that it is a very satisfactory contract, and think that the lighting of our Municipality is quite as good as that of Cape Town by the electric light.

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13532. You have no electric light in your area?—No.

13533. Is it coming?—Well, I do not know. We are very well satisfied now. We have no complaint to make with regard to our lighting. In the future, perhaps, electricity will come in, but not for the present.

13534. Do you find gas lighting more economical?—I should think it more economical, but I cannot speak from personal knowledge.

13535. Have you any wash-houses in Green and Sea Point?—No.

13536. Are they not required?—The want in that direction has been supplied by Chinese laundrymen. There are about five or six of them in the Municipality. Their premises are very small and we pay particular attention to see that they are regularly and carefully inspected.

13537. Are there any slaughterhouses in the Municipality?—No.

13538. Are there any schools in which the Corporation assist?—No, there are Government aided schools at Sea Point.

13539. Has the Municipality made any grant either of land or money towards them?—No.

13540. *Dr. Gregory.*] What do you pay the Gas Company per lamp for lighting purposes?—We pay £7 per annum.

13541. Do they provide the mantle and everything for that?—Yes.

13542 How many hours lighting is that for?—The time varies. It is different in summer to what it is in winter.

13543. Can private consumers get electric light in your area?—There is no supply of electricity for that purpose.

13544. Has the Cape Town Corporation ever been approached with a view to supplying electric light for private consumers?—Not that I am aware of.

13545. There are a large number of houses in the Cape Town portion of Green Point lighted with electricity, are there not?—I daresay.

13546 Does it not appear reasonable that those on your side of the boundary should be able to use electricity if they wish to?—Yes, I think so.

13547. So that some general combination in the matter of lighting would be advantageous to the inhabitants?—Yes, there have been one or two Companies wishing to start, but it would not pay them, unless the Municipality used electricity for public lighting. So many of these private houses have now got gas fittings and gas stoves that they are not likely, readily, to change for electricity.

13548. But still, as a broad principle, does it not seem reasonable that the inhabitants in your district should be able to get electric lighting if they wish it?—Quite so.

13549. Especially, seeing that it is now close to your boundary, if Cape Town were prepared to supply it they should be able to do so?—But supposing that the Municipality of Green and Sea Point intended to put up their own electric lighting works and to serve their people with electricity they would be perfectly right in preventing Cape Town from supplying them.

13550. Is not that a matter of conflicting interests and another argument for some combination?—I do not know that the interests would conflict very much, provided that we could supply electric power at the same cost as Cape Town.

13551 Surely you are of opinion that one works under one management in such a matter as electric lighting would be an advantage rather than having two?—Yes, I think so.

13552. Should you not have wash-houses in your district available for the poorer inhabitants?—At present we have really no very poor inhabitants. Our Municipality is in a very unique position in this respect. Wash-houses would be no doubt a great advantage, though I do not, myself, consider that public wash-houses are an immediate want.

13553 At any rate the present laundries require a considerable amount of supervision to see that no danger to the public health results?—Yes.

13554. And it, as possibly may happen, Cape Town decides to erect a public wash-house near your boundary, would it not be any advantage if your inhabitants could participate in the use of it?—Our inhabitants participate largely in Cape Town's wash-houses as it is, because most of our inhabitants get their washing done in Cape Town.

13555. *Mr. Gurney.*] You have no Cottage Hospital in Green and Sea Point?—No.

13556 You depend upon the Somerset Hospital?—Yes.

13557. What assistance does the Council give towards the support of that Hospital?—None. We did contribute £50 per annum, but, recently, the lawyers on the Council said that we had no power to continue that contribution, and it was discontinued.

13558. This did not occur to the lawyers in connection with the expenditure on the Royal Visit, or upon the Town Guard, but it did in connection with the Hospital grant?—That would appear to be so

13559. I see that your expenditure on the Royal Visit was £846?—But we received a refund of £680.

13560. At any rate you paid about £200 in connection with the Royal Visit, and £105 was spent on the Town Guard?—That is so

13561. Is the Council going to review its position in regard to giving assistance to the Hospital?—The question is, as to whether we can make any payment out of the rates. We have very little money other than we receive from rates, and the question is whether, if it is illegal to give any contribution from the rates, we can possibly make a contribution. It is the illegality that blocks the way; it is not that we are unwilling.

13562. Was not the decision that it was illegal to make this payment out of money received from the rates?—Yes, but we have very little other money. I hope, myself, that the payment will be restored, and I think it will be by-and-bye. I consider that powers should be given by law to Councils to levy a rate for Hospital purposes. A very small rate per £ would bring in a handsome sum for the support of the Hospital.

13563. You have considerable receipts from the dog tax—£660, I see, during the past five years?—Yes, but that is utilised for current expenditure.

13564. And thereby the rates are reduced?—So far.

13565. Do you not think that your position is quite indefensible?—It is a position I very much regret, and, from my point of view, it was unnecessary to strike off that payment

13566. Has the Municipality taken any steps to see that the schools in Green and Sea Point are properly provided with sanitary arrangements?—Yes; and I may say that during the time of the drought, when water was scarce, we made special arrangements for the flushing of the girls' school lavatories.

13567. I see a rather remarkable increase in your salary list. In 1897, 4 officers cost you £530; while in 1901, you had 12 officers and their salaries amounted to £1,940?—We are bound to increase our staff with the increase of the Municipality. Then, again, salaries are increased very much to what they were in former years.

13568. Is that considerable increase likely to go on?—I, myself, am a strong believer in the contract system. I do not believe in the departmental system. I think that if you have a departmental system the expenditure will continue to grow out of proportion to the growth of the Municipality.

13569. You will admit that the cost of administration must be much larger in proportion in a small Municipality than in a large one?—Yes.

13570. And you would admit, without going into the general question of possible amalgamation in the Peninsula that, wherever amalgamation is possible, the cost of administration would be expected to be reduced?—Yes, in one way. But then the question would arise as to whether that diminution of cost would not be at the sacrifice of efficiency.

13571. *Dr. Anderson.*] Has the Sea Point Municipality made any provision for an Infectious Diseases Hospital?—No.

13572. *Chairman.*] Is there any necessity for altering the boundaries of Sea Point in any way?—I do not think that there is any necessity existing at present. In my opinion we have just as much as we can conveniently govern.

13573. That piece of land at Three Anchor Bay you spoke of in connection with the refuse destructor system, is within your Municipality?—We have no jurisdiction over it. Our engineer says it is within our area, but if that is so why have we to ask Cape Town for permission to use it? We certainly cannot do as we like with it.

13574. Do you wish it to be within your area?—As far as I understand this question of the refuse converter it is a private firm who are going to make a business out of it.

13575. Without going in to that, is any alteration of your boundary at that spot desirable?—No, that is only a small portion of ground, of no size worth considering.

13576. Now, with reference to the land on the other side of the Municipality, at Camps Bay. Do you consider it advisable to bring in that? Have the Council any views upon the matter?—We have not considered the question at all.

13577. Would you have any objection to another Municipality springing up in that neighbourhood?—No, I do not think so. Their interests would not be antagonistic to ours.

13578. Cape Town also comes between you and Camps Bay, does it not?—They have some ground there.

13579. Are they very good neighbours of yours?—I do not know about that.

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13580. On the general question of amalgamation, have you any remarks to offer?—Yes, I have thought the matter out, and I think, although at one time I was of opinion that amalgamation was really desirable, at present there really is no advantage in it—at any rate so far as we are concerned. I quite believe that as regards water and drainage, those two great and important matters, amalgamation would be desirable. I think that there should be a Water Board and a Drainage Board, for the reason that large and important works are better done if carried out by a strong Board, because they would be able to borrow money at a much more favourable rate of interest. But as far as Sea Point is concerned, we are practically self-contained. We have finished our drainage works and our water supply is adequate. Speaking personally, I cannot see what possible advantage we should gain by amalgamation. We are practically amalgamated as far as water is concerned. Lighting has been alluded to, but I do not see that we are likely to reap any advantage there. Then, so far as scavenging and some of the minor Municipal duties that fall on Councils are affected, the details are far better attended to by people interested in their own locality, and, as far as the expense goes, if people like to pay for having their own separate municipal government, who is to say them nay? I am not prepared to say anything on the matter of amalgamation with regard to the Municipalities on the other side of Cape Town. We only know that they were started in municipal life as one enlarged Municipality from the Toll right away to Wynberg. It was not a success at all, and they were obliged to break it up into other Municipalities. Whether they made the Municipalities too small I do not know, but it would certainly appear absolutely necessary, so far as water and drainage are concerned, that there should be some combination amongst them. I am not prepared to express an opinion beyond that. So far as Sea Point is concerned, we should decidedly object, most decidedly object, to be joined to Cape Town, and if the effort is made we shall certainly take the fullest constitutional means in our power to prevent such a consummation ever taking place.

13581. What is your objection to being joined to Cape Town?—We have many objections.

13582. Have you any objection to Cape Town being joined to you?—We are not so ambitious. Our objection to joining Cape Town is that in the town, as at present constituted, there would be no advantages; Cape Town cannot shew anything better to induce us to consider being joined to them. The question is a matter of expense. We are willing to pay for our own local government, and I do not think that anyone can object to that sentiment. Except in the two points of water and drainage there could be no advantage from amalgamation, and we have dealt with those matters, so where are we to be advantaged? If we were joined to Cape Town we would lose our reputation as a residential suburb. We would have to come under their building regulations, which would clash very much with what we desire. We wish to restrict building, or at all events to restrict it to only that which will tend to keep ours as a residential suburb. We wish to avoid a multiplicity of shops, and to keep our suburb a place to which those who wish to retire from the bustle of town life may come for a moment of leisure, without being surrounded by the din of business. That desire of ours might be thwarted if we were joined to the Cape Town Municipality. Further, we feel that we have conducted our town's business on business lines in the past and with a fair amount of success, and we do not see any reason whatever why we should be absorbed in the Cape Town Municipality.

13583. What method have you of preventing shops being erected?—Of course a Court of Law will have to settle the legality of many things that we have done, but we have taken certain steps to prevent shops being put up. For instance, we have made the building line on roads, that of the houses, and not the front wall of the garden before the houses. We prevent as far as possible the passing of plans for a poor class of property. Further, in regard to the division of land we will not pass plans for sub-division if the plots are not at least 50 feet by 80 feet in area. We have rejected several plans where the plots have been smaller.

13584. But there is no reason why you should not be amalgamated with Cape Town and such regulations remain in force?—We have no guarantee that they would remain in force.

13585. But supposing there were a guarantee to that effect what objections would you have?—We would ask what advantage would there be in a change? We contend that we could gain nothing by a change.

13586. You would gain a voice in the management of the water supply?—On that question I am at one with those in favour of amalgamation. I consider that there should be a strong Water Board to deal with water for the whole of the Peninsula. But in regard to our municipal arrangements, such as the upkeep of roads, scavenging and other domestic matters, they are better dealt with by people on the spot. Those living in the place itself are the better judges of what should be done.

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13587. What is the advantage of being separated?—We have our independence, which is worth something, and we believe that we can do better for ourselves than they could do for us.

13588. You are not convinced of the advantage to be derived and the prestige to be gained by general amalgamation of Cape Town and all the suburban Municipalities into one Metropolitan Borough?—I think the greater advantage would be in leaving things as they are.

13589. You have no ambition to see one large Municipality for the Metropolis of the Cape Colony?—No, I do not see that its position as the premier city, or the Metropolis, would be very much enhanced by one big Corporation being made of all those now in existence. I really think, myself, that for the ordinary domestic problems they would suffer by the formation of such a body.

13590. On the other side of Cape Town, have you anything to say as to the advantage which would be gained by the Municipalities there being amalgamated?—I dare say that I should only feel, if I lived on that side of Cape Town, the same as I now feel. I do not see that there is any great advantage to be gained. Of course, I must admit that we have moved on very fast in late years, and things are, perhaps, more advanced than they were some years ago, but I still think that if we were not very careful we might make a big Municipality and find it a very unwieldy body, and, although there might be some saving of expense, the whole area might suffer, so far as efficient working is concerned.

13591. With reference to Cape Town, it is no doubt within your knowledge that for some years they had a ward system?—Yes, I was for two years a member of the Cape Town Council, and I remember the working of the old system of Commissioners and Wardmasters. The Commissioners were the Upper House and the Wardmasters were the Lower House. It did not work at all well. I think myself it is far better at present in that you get better men to go on to the Council by having the larger constituency. I think, myself, that the districts as they are now are worked fairly well.

13592. Do you not think that there is a tendency under the present system to make Cape Town somewhat of a close Corporation?—I do not think so. There is a ballot, and I see no reason whatever why there should be a close Corporation. The matter of representation rests with the people themselves. If they took a proper interest in the election they would have no difficulty in getting their own representatives.

13593. Do you think that a return to the Ward system would increase the interest?—I do not think so.

13594. Take a man living in District No. 6, he has no one to represent him and to bring his views before the Council?—I know District No. 6 very well. It is one of the largest and most populous districts in the town. I know that its influence is very strong. I know that it is quite strong enough, if it combined, to put one or two representatives on the Council.

13595. *Dr. Gregory*]. If you consider that the Cape Town Municipality manages things fairly well, why do you object to amalgamating with it?—Because we manage our own affairs equally well, and there is no necessity for amalgamation.

13596. But if both are managed equally well and you get an advantage by amalgamation, why should you object?—We doubt whether there would be any advantage.

13597. Do your remarks apply equally strongly to a reconstruction of all the bodies in the Peninsula in which Cape Town is equally merged with the other factors?—I may be very conservative and perhaps unable to grasp the feelings of the times, but I am decidedly opposed to a huge Municipality embracing the whole Peninsula. I think that the more domestic Municipal matters would suffer from such an amalgamation.

13598. Such an amalgamation would not make nearly so large a body as a number of the English Municipalities which are nevertheless well managed in all respects?—Yes, that may be so, but I do not think that you can draw a comparison between us and the English Municipalities We have peculiarities in each of the Municipalities which did not exist in the areas absorbed by the large English amalgamations. We have such a diversity of interests that I do not think we could easily combine.

13599. What is the peculiar diversity of interest in Sea Point?—The first is that we are a residential suburb. We have no coloured population, and I am happy also to say that, although we have not many rich people, yet we are all fairly well to do. We have none of those conditions which Cape Town have to deal with, and that occur so frequently in many of the Municipalities on the other side of Cape Town.

13600. Does it not seem to you that if you are able to get more highly paid officers you would have more efficient men to attend to the administration of the Municipality, so that probably the work would be done better?—That is a very great

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question, and it is a point that many are not convinced upon, whether it really does follow that a highly paid man is more efficient for a small Municipality?

13601. *Chairman.*] Have you given any thought to the question of the Divisional Council?—We have come to the conclusion that the time has now come for the abolition of the Divisional Council. It has served its time.

13602. You think that there is very little in the Divisional Council to be conservative about?—Very little.

13603. But who would look after the rural area if you were to abolish the Divisional Council?—The Municipalities could look after those roads near to their own area.

13604. What roads could you manage?—We would be willing to make our contribution towards the unkeep of the roads outside our municipal area. I think that a good many of the roads might be looked after through the Civil Commissioner's Office. The roads were formerly under the Government, and I do not see why the main roads should not revert to Government control.

13605. Might not the rural people desire to maintain their independence just as Sea Point does?—They might; but they do not pay for their independence, and we do.

13606. Would you be willing to have a representative body to look after the roads?—I would leave the main roads under a Road Board or under Government.

13607. You would abolish the Divisional Council entirely?—Yes.

13608. Then how would you provide for giving the rural people a voice in the management of their own affairs?—They would have their own Municipalities.

13609. Can you conceive of any Municipality stretching over the whole of the Cape Flats in the Cape Division—an area of 647 square miles?—I am only speaking about the roads, and I think they might safely be put under Government.

13610. And who would be rated for them?—The rating would be according to the size of the Municipalities. We all admit that those roads which lead into the town we ought to pay for.

WEDNESDAY, 25TH JUNE, 1902.

Present:

Hon. Sir W. BISSET BERRY (*Chairman*).

Dr. A. J. GREGORY.	Mr. W. E. GURNEY.
Dr. A. J. ANDERSON.	Mr. T. STEWART.
Mr. J. E. R. DE VILLIERS.	

Mr. Thomas Stewart, M.I.C.E., further examined.

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13611. *Chairman.*] Now, with reference to your evidence given on the previous day when you were examined, Mr. Stewart, on the water question, do you think that, with the information before the Commission, we could provide or submit an estimate, in any particulars, of an adequate water supply for the Peninsula?—I think there need be no difficulty in recommending three schemes for further investigation; and, from my own idea of the look of the country, one of those schemes might, in my opinion, be indicated as appearing to be the best of the three. It is, however, impossible to compare the relative merits of the schemes without further investigation.

13612. An investigation which will necessarily take some time?—An investigation which, I consider, should be carried through, at least, two dry seasons; and one which should be supervised by an Engineer, thoroughly experienced in similar work. It would, in my opinion, be a sheer waste of time to have the work done by an unqualified man.

13613. And even if we did not go so far as to specify a figure of the probable cost of such a scheme, we might at all events go to the length of saying that the necessary expenditure will be very considerable; and, therefore, that fact warrants every precaution being taken to prevent such expenditure of money being misused, or being rendered nugatory?—Yes. I consider, that the sources now in use, in the Peninsula, can be utilised to a somewhat further extent than at present, by pooling the whole of the water supply, and by moderate extensions, so as to meet the demands of the suburbs and of Cape Town for the next eight or ten years. Therefore there is no

hurry in my opinion for indicating an outside scheme. The gathering of such data might have been unpreventible in days gone by when the towns were in immediate want of water, but we have time in front of us, and I think the investigation should be of a thorough character, having regard to the amount of money which is to be spent.

13614. *Mr. Gurney.*] You mean no undue hurry, but, at the same time, no time should be lost in beginning the investigation?—I consider that the investigation should be set on foot at once, but we should not risk deciding upon a scheme which may ultimately be found not to be the best and most economical.

13615. *Chairman.*] Now, as a matter of policy, do you think that, if possible, it is advisable that we should get a single scheme which will supply the whole of the suburbs and also the city of Cape Town for a term of years, say 40 or 50 years?—Well, from the information which I have supplied to the Commission, *in camera*, I think it is perfectly evident that one source, or two adjoining sources, could be got which will yield all the water that will be required for more than 40 years.

13616. Do you think that it would be sound policy to put that scheme in the hands or under the power of any one of these Municipalities in this neighbourhood, seeing that it would necessarily be intended to supply the whole area with water from such a source?—That is almost impossible for me to answer, Mr. Chairman.

13617. Let me put it this way: If you were to put such a large source of supply in the hands of any one of the Municipalities in existence, it would mean that that particular Municipality would really control, manage, and direct the water supply of the Peninsula for the next 40 or 50 years?—Well, I cannot see any great objection to that, provided that the Bill enabling the Municipality to carry out the work has conditions inserted in it, under which it shall be obliged to supply water to any neighbouring Municipality or to any Municipality within a certain distance, at a stipulated price.

13618. At a price to be fixed by the Bill?—Yes. They would, I take it, charge a certain percentage more for the water supplied to these other Municipalities.

13619. You have had a great deal of experience of Town Councils in this part of the world, and do you see any sound reason why the carrying out of a large scheme of this kind should not be entrusted to a local Municipal Council? In other words, do you think that a Municipality like that of Cape Town has sufficient energy, enterprise and public spirit and intelligence to carry out such scheme without the intervention of, say, another Board of Works?—I consider that the Town Council of Cape Town are perfectly competent to carry out such a scheme. In fact, the Town Council of Cape Town anticipated more than a couple of years ago that they would have to go outside the Peninsula for a largely increased supply of water. That has been perfectly clear to them. Further, I may mention, that the Town Council of Cape Town had sufficient foresight to see that on the completion of the Woodhead Reservoir another reservoir should be proceeded with at once, and they endeavoured to do so, but, by a vote of the ratepayers in public meeting, the work was delayed for nine months, with the result, in my opinion, that the additional reservoir is to-day in an unfinished state. I consider, however, that there is not another Municipality in the Peninsula which could carry out a scheme of the size which I have indicated. The great advantage which Cape Town has is, that Cape Town is known in the London money market, and it can raise money much more cheaply than any other Municipality, or even any combination of Municipalities, in the Peninsula. The other Municipalities are not known.

13620. In the same way, if there were an amalgamation of six or seven Municipalities in this neighbourhood, and one large Municipality were formed for the whole amalgamated area, would you be inclined to trust the execution of this large scheme to this Council?—Undoubtedly.

13621. Again, if such an enlarged body were created by Act of Parliament, there would, in your opinion, be no necessity for interposing a Board of Works between that body, formed of the different localities and the Government?—No; that would not then be necessary, in my opinion. We have many similar cases in Great Britain.

13622. I was just coming to that. Will you kindly just indicate a few instances in which Town Councils have carried out large works successfully?—There is the big example of Glasgow which carried out a large scheme some 50 years ago, and which has supplied, to my knowledge, from eight to ten smaller Municipalities or parishes beyond the Municipal boundaries of Glasgow proper. I might quote some figures in the case of Glasgow, showing the population supplied by that city with water, as follows:—In 1861, there was a population of 400,000 within the boundaries of the Municipality, and 36,000 beyond the boundaries; in 1866, there were 445,000 people within the Municipality and 55,000 beyond the boundaries of the Municipality; in 1871, there were 490,000 people within the Municipality and 105,000 beyond the boundaries of it; in 1876, there were 523,000 people within the Municipality and

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171,000 beyond the boundaries of it; in 1881, there were 511,000 people within the Municipality and 213,000 beyond the boundaries of it; in 1882, there were 531,000 people within the Municipality and 231,000 beyond the boundaries of it. Then there is the case of Birmingham which is completing very large works at a very large expenditure. Liverpool some years ago did the same thing. Manchester did the same, and all those towns supply water to adjoining Municipalities or parishes.

13623. Without the intervention of any Board of Works?—Without any intervention whatever.

13624. Now, with reference to the supply of water that you speak of as being provided by these British Municipalities, would you tell us whether it is done in bulk to the local authority, or is it done to the individual consumer in the parishes?—They do it in both ways. They supply in bulk to some Municipalities and to individual consumers in other Municicipalities, with an increase in the rate to the outside Municipalities. In the case of Glasgow,—I am speaking from memory—the outside Municipalities are supplied by the city, and the city collects the rates; and, in fact, administers the water supply for these Municipalities in the same way as it does its own, but charging an increased rate to the outside Municipalities. For example, some 20 years ago Glasgow used to charge its own ratepayers 8d. in the £ on rental for the supply of water, whereas the rate charged to outsiders was 11d. in the £.

13625. And now you think that without incurring any serious risks of a water famine, the prospective needs of this neighbourhood—Cape Town and its suburbs—would be safeguarded if such a scheme as we contemplate could be given effect to within eight or ten years?—I certainly think that with care in the administration of the existing water supplies you could get along for the next eight years.

13626. And with certain accessory arrangements, such as pumping in the Orange Kloof Valley, you think, they could get along even for a longer period?—Yes; in that case, I should say, for the next ten years.

13627. And that would give ample time to carry out a scheme in a thorough, businesslike and scientific manner?—Yes, I have no doubt that that could be done.

13628. But that opinion is given, while insisting on the other opinion that such a scheme will be absolutely necessary at the end of that time?—I consider that we ought to make arrangements whereby a larger supply will be available in about ten years' time at the most. In any case we have to make up our minds that a large supply will be required from outside the Peninsula.

13629. And, of course, if it were contemplated to increase the supply of water for garden purposes, it would be all the better if the scheme could be given effect to at an earlier date?—Yes.

13630. It would scarcely be possible to supply water for gardens from the existing reservoirs, in any quantity?—Not to the extent to which the people appear to want it.

13631. Have you anything further to say, Mr. Stewart, concerning remarks that have been made about some of your estimates, and about some of your own works, in this part of the world?—Well, I might mention, Mr. Chairman, that I don't quite see the object of questions about my estimates, but I have had no objection to clear up the matter. It is impossible, as I said before, to carry out works at an estimated price if extraordinary circumstances intervene, such as have happened in connection with the additional Table Mountain reservoir, namely, the scarcity of native labour, plague and other circumstances. The only way to keep within an estimate is to estimate excessively at first and trust to coming out all right afterwards. The waste of money, in my opinion, in estimating too much at first, is greater than the other way.

13632. Of course, there was, to some extent, a purpose in putting the question about these estimates, because it seemed to the Commission desirable that some sort of an estimate, as near as possible, should be obtained of the work we are likely to recommend?—Well, I may state that the estimate I have given is a very ample one, and I have not the least doubt that it will not be exceeded.

13633. Is that the estimate of 1½ millions?—No; £25,000 per mile for the pipe line.

13634. Do I understand you to say that that is the estimate of the cost of the pipe, including the expenses of putting that pipe down?—Everything connected with the furnishing of the pipes, putting them into the ground, and covering them up; and leaving them ready for the supply of water.

13635. Are there any remarks which you would like to make with reference to any work in which you have been engaged, and in which the estimates have been exceeded? Is there anything which you would wish to put on record?—No, I don't think that the Commission has anything to do with excesses on my estimates. The biggest case is the new Table Mountain Reservoir, which has practically been beyond our control for the last 2 years. In the beginning of the war we lost our native labour, and then plague

came and reduced the number still further, so that, at the present time, instead of having 300 natives at work, we have only 100 employed. Besides, we are now paying them four shillings and sixpence per day against three shillings at the beginning.

13636. *Mr. Gurney.*] The Suburban Water Committee are, I suppose, experiencing the same difficulties?—Yes, but they began under the existing circumstances.

13637. *Dr. Anderson.*] Can you give us your opinion of the working of Water Boards?—I don't know much of the working of Water Boards of my own personal knowledge, but I do know that a big Board is now being started for the Derwent Valley Water Works which are intended to supply a very large number of towns and villages.

13638. You have no knowledge of Water Works having been disbanded?—No, I have no knowledge, except what I have read.

13639. With regard to one Municipality supplying another Municipality with water, are you aware that the Manchester Corporation are supplying some of the large towns with water?—Yes, I am aware of that.

13640. *Mr. De Villiers.*] Do you think that Cape Town, if entrusted with the whole scheme, could supply on the same system as they now supply the Sea Point people, that is to say, they have now to supply on the demand of each inhabitant of Sea Point?—Yes, I think so, because Cape Town, within the last ten years, have risen to their responsibility as regards the water supply.

13641. *Chairman.*] I don't know whether it is quite in order for us to ask you questions about drainage, but if you have any information, Mr. Stewart, which you might feel disposed to give, which will be of use to the Commission, on the question of drainage, we shall be very glad to have it. You have been connected with some drainage works for the Municipality of Wynberg, have you not?—Yes.

13642. I presume you have devoted some attention to the question of drainage in this part of the Cape Division?—Yes, chiefly in connection with the Wynberg drainage works. Until the last five years, there has been, practically, no drainage, except that for Cape Town and Sea Point.

13643. The information which you have acquired has been at your own cost, and for your own professional purposes and engagements, I suppose?—Yes; I went thoroughly into the question of the bacterial treatment of sewage for Wynberg, when I was engaged by the Municipality in 1897. At that time, there were many questions that appeared to be open to discussion, and when in England two years ago, and again last year, I took the opportunity of visiting a large number of works where similar bacteriological works were either in operation, or being experimented with. I am quite willing to give the Commission the general results of those investigations, but I wish to state quite clearly that, when I give this opinion, it must not be held as in any way leading to the conclusion that schemes of another character submitted from other sources might not be equally good.

13644. What systems of bacteriological treatment have you observed in Europe?—Well, I saw all the systems which are in use, but chiefly the septic tank and bacterial filter systems.

13645. I should be glad if you would indicate those systems to us by names which are more familiar to us? Are those the systems called after their discoverers and inventors, namely, the Cameron system and the Scott-Moncrieff system?—Yes.

13646. They are all worked on the same principle, are they not?—The same principle governs the whole of the bacteriological system?—It is a question of liquefying the sewage first, and then oxidising it, practically. Nearly all the bacteriological installations are simply modifications of the cesspool. I may mention that I was struck with what I saw in actual use, as compared to what was stated in the prospectuses of some of the Companies and Syndicates; according to the pamphlets issued by some of the so-called patentees, their particular form of bacterial treatment was the best, but I saw no treatment which was quite up to what was stated, although some were, of course, better than others. And, as regards the contention that bacteriological works, when once started, may be allowed to look after themselves, this must be put on one side. They want constant attention.

13647. All of them?—All those that I saw. Another point that has been made great use of is that the filtration material does not require renewal. I found no case in Great Britain where renewal will not have to be effected sooner or later. Otherwise the working of the filter becomes insufficient, and the filter consequently becomes unable to deal effectively with the sewage.

13648. Would the material for the construction of these filters be found here on the spot?—We shall use clinkers or coke and Claremont gravel, and fill one filter with the one and another filter with the other, and see which works the better.

13649. Clinkers from the oven, you mean?—Yes, or coke. The material which seems to last the best is double-burned coke. I don't want to confine myself to any particular form, however, at the present time.

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13650. Generally, I suppose, you would say that it would be better for, and to the very great advantage of, the suburban Municipalities, if they could be persuaded to unite entirely for the purpose of carrying out a combined drainage scheme?—Well, in my opinion——

13651. At all events, you would be inclined to say that, from an Engineer's point of view, the united action would be highly advantageous for the interests of all the Municipalities?—I have no doubt, whatever, that the drainage of the whole of the Liesbeek Valley should be managed by one body, and that the scheme should be one scheme and under one supervision. I cannot see why there should be any question whatever about that. And the whole of the works connected with such a scheme ought to be subject to the engineering supervision of one or two Engineers, as the case may be, acting in conjunction with one another, and not separately.

13652. *Dr. Gregory.*] The Liesbeek Valley is from this side of Wynberg to Woodstock, is it not?—Yes, it drains into the sea near Woodstock.

13653. *Chairman.*] From what you have seen and thought about the matter, would you be prepared to say that one system of filter-beds would suffice for the whole of that area?—Well, Mr. Chairman, that is, entirely, a matter which depends upon the size of the filter-beds. I think, however, there might be some doubt whether at the lower end towards Woodstock you would not require separate beds for the lower levels, but this is entirely a point which should be left to further investigation by Engineers. I am anxious to avoid giving opinions on engineering phases of that kind.

13654. Could you tell us the population of a place where you have seen a sewage disposal system of this kind carried out?—I cannot give you the exact population off-hand, but the population of Guildford, where I saw a system in use, is a very big one.

13655. And that of Exeter?—I did not see the works at Exeter, but I may mention that Manchester proposes to deal with nearly all the sewage of its city by similar treatment, and is going to spend or is already spending £250,000 on the works in connection with that treatment.

13656. In addition to what they have already spent on their sewers?—Yes. I might mention the case of Morecombe, but I don't know that it is of importance to the Commission to go into these details.

13657. *Dr. Anderson.*] Morecombe is a town on the sea coast, is it not?—Yes. I am just giving you the list of towns, and am not speaking, with regard to them, from my own personal knowledge.

13658. *Chairman.*] It might be as well to put the information on record for the assistance of those who have to deal with this matter, and I shall therefore be glad if you will go on?—Well, Mr. Chairman, Morecombe has a population of 60,000 inhabitants, and they have the septic tank system. Sheffield, with a population of about 250,000 inhabitants, is taking steps for treating the whole of the sewage of the city and districts by means of biological methods. Bradford also proposes to deal with theirs on the bacteriological system.

13659. And that is also a very large town?—Yes. As regards Manchester, I may say that there is a very extensive report on the experiments that have been tried and, in fact, dealing with the whole question.

13660. If such a system is carried out in the Peninsula, will it be advisable to separate, entirely, stormwater from the house drainage?—I think that the greater part of the stormwater should be separately treated, but you must take in a little from back-yards, for instance. The stormwater in the street must be separated.

13661. And now, from what you have seen, do you consider that, if this bacteriological system is carried out efficiently, the effluent might be put into the Liesbeek River with perfect safety?—It is possible to produce an effluent which may safely be put into the Liesbeek River, but whether it is desired to put it there is quite another question.

13662. It is an engineer's question?—Yes, and there is another phase: you will have stuff running into it from side streets, and you will have to make your river very much better than it is; you cannot leave it in that condition.

13663. But it is a possible method, I mean? The effluent from these filter beds is occasionally discharged into rivers in England, about which the people there are very careful indeed?—Undoubtedly.

13664. I believe the body known as the "River Preservation Commission" have sanctioned the use of the river beds for carrying off effluent from filter-beds?—Yes. I may say in regard to the purity of the effluent, that at the works where such systems are carried out the workmen will help themselves to a drink from the effluent, instead of going 100 yards for pure water; but, I take it, that the purification to that extent is somewhat expensive. The whole question of purification resolves itself into this:

that you need not purify your effluent further than to make it as good as the water into which it is discharged.

13665. It is more or less an hypothetical question, but supposing that the effluent could be put into the Liesbeek River, do you think it could be done with economy in the construction of the sewers?—I should not like to answer that question. It is a case that will require rather extensive data, and from the information before the Commission, it is impossible to say.

13666. Do you think that we could reasonably expect so to purify the sewage in the suburbs that the effluent could be put into Table Bay without transgressing the regulations made by the Harbour Board?—I think so.

13667. Would you say the same with reference to crude sewage, or are you with those who say that such sewage should not be discharged into the Bay?—I have no hesitation in saying that crude sewage should not be discharged into the Bay, except at such points where there are decided currents to take it away.

13668. From the evidence given before the Commission, you are not convinced that such currents exist?—I daresay that you could put sewage into certain parts of the Bay, but I don't think that the evidence is sufficient to enable you to say where the outfall is to be. I may say that, personally, I have made no investigation in regard to the currents.

13669. Do you think that a proposal to filter sewage, in some such way as you suggest, would be likely to be a much more costly affair than to construct sewers and discharge crude sewage into Table Bay?—That is another question which wants further investigation, but, I think, on the face of it, one must admit that it will cost more to treat the sewage by bacteriological means.

13670. There would be the cost of the works and the cost of labour at the works, which latter will be a source of permanent expenditure?—Yes

13671. *Dr. Anderson.*] And the possible cost of pumping?—You would have to pump some of it.

13672. *Chairman.*] Would you be prepared so far to give an opinion on the question of cost as to say that it will necessarily involve the expenditure of a considerable sum of money for the whole drainage system, excluding the bacteriological filters?—Undoubtedly, the sewerage for the whole of the suburbs and the Liesbeek Valley will be a very costly work.

13673. You mean, as far as Municipal work would be concerned, excluding what the ordinary ratepayer would have to pay for his private connection?—I mean the cost of it, as a public sewerage system. Your houses are far apart and consequently you will have to make long lengths of sewers for comparatively small populations.

13674. The estimates that have been hitherto provided may be put on one side, as being of very little practical value now?—Yes. I think no estimate for any work—not alone drainage—which was made five years ago is applicable to the present conditions.

13675. Would the expenditure incurred in the city of Cape Town be any guide to the expenditure which is likely to be incurred in the suburbs?—I am not in a position to say, Mr. Chairman.

13676. Are you not in a position to say whether the same class of work should be carried out or not?—I certainly think that the work in the suburbs should be of quite as good a quality.

13677. *Dr. Gregory.*] I am sorry I was not able to be here when you commenced your evidence this morning, but you made the remark, Mr. Stewart, that, practically, the only difference between the different bacteriological systems is the fundamental difference of putting down filtration?—Not that altogether, because there is the question of contact beds as well.

13678. Is not that really the main difference, the question of whether you have a septic tank or a bacterial contact-bed?—No, the septic tank is, occasionally, used with contact-beds.

13679. Oh yes, but as a secondary thing?—No, as an essential to it, nowadays.

13680. The bacteriological treatment is divided into two stages,—the anaerobic and the aerobic, is it not?—Yes.

13681. The aerobic is the second stage and is always done by a contact-bed exposed to free access of air?—Or by filter-beds.

13682. That is the same, is it not?—Well, there are different degrees.

13683. Whether you say filter-bed or contact-bed makes very little difference, because you use filter-bed in its bacteriological sense only, and it really acts as a contact-bed, does it not?—No.

13684. But the main difference of method is in regard to the first stage of the thing—the anaerobic—that is, whether you have merely a septic tank, or what is a cesspool, as you call it, or whether you have a bacterial contact-bed. By contact-

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bed, I mean a bed filled with layers of stones or other like material to which the bacteria can attach themselves?—The discussion at present seems to deal with the question whether you require a septic tank at all, or whether you may not simply put the stuff into one contact-bed, and then, afterwards, into another contact-bed. But, I think, it is admitted that the septic tank is necessary now. I will quote an opinion which I think will meet the case. It is as follows:—

> "The Manchester experts also recommended that the sewage as it arrives at the works should be screened and passed through tanks provided with scum boards and submerged inlets and outlets. In the Parliamentary proceedings on the Leeds Bill last session, Colonel Harding, M.I., M.E., Chairman of the Leeds Sewage Committee, who is also a member of the Royal Commission on sewage disposal, gave it as his opinion that all sewage should undergo some treatment in the septic tank in some form, before it is submitted to the process of oxidation by filters, contact-beds, &c."

This shows that he treated these as quite separate, and he goes on to say:—

> "In addition to the weighty opinions given above, from my own personal observations of various contact-beds which I have visited, and from experiments on the sewerage at a private house, I have no hesitation in saying that sewage should not only be screened and passed through detritus tanks, but should also be submitted to treatment in the septic tank before it is applied to the filters, or the contact-beds."

13685. The Scott-Moncrieff system differs from the septic tank process in that, instead of being a plain septic tank, it is a tank containing material for bringing about contact?—Well, as I understand the Scott-Moncrieff system—I have seen it at private houses—it is arranged for upward flow, that is to say the sewage enters the tank at the bottom and flows upwards. And in that way it is a kind of contact-bed.

13686. That is the anaerobic tank?—Yes.

13687. The question of deciding whether you shall have a septic tank or what is generally known as a septic tank—which is simply a plain receptacle—or whether you shall have one filled with some material through which the sewage filters, either upwards or downwards, is one of the fundamental things at present under discussion, is it not?—Yes; but from the evidence which I have been able to collect, and from what I have seen in England, the septic tank in one shape or another—not necessarily called the septic tank—is the form which is almost universally adopted. I cannot very well go into the question of the relative scientific advantages of the different methods; we must accept those adopted by towns which have had the means of experimenting on them.

13688. Still the matter is largely *sub judice*, at the present moment?—Except that the septic tank with filter beds appears to meet all that is necessary.

13689. You further stated, Mr. Stewart, that the main thing to be sure of was that you gave an effluent which did not putrify?—Yes

13690. Is there not another point, which it is necessary to make sure of, and which at the present time is not quite certain, namely, that you get rid of all pathogenic organisms such as typhoid germs?—That is an important point, no doubt, but the other process which I have indicated pretty well meets that, does it not? I mean that, having destroyed the one, you have also pretty well destroyed the other.

13691. You really get a non-putrescible effluent because the organic material in it has been changed by the action of the germs, but it does not follow that all the pathogenic germs themselves have been destroyed?—Of course there may be some of them remaining, but that is rather a question for a biologist than for me.

13692. But that is a very crucial point, if you are going to turn the effluent into water which is going to be drunk?—I am not meeting that phase of the question at all. I don't say that the effluent should be turned into drinking water, but I do say that workmen in England drink it, which testifies to the extent of purity to which it can be carried.

13693. You are going to drain into what is virtually a small land-locked lake, are you not?—Do you refer to the drainage for Wynberg?

13694. Yes. You are draining into Princess Vlei, are you not?—No; we say we do not drain into the Vlei.

13695. That is what you say, but you get there all the same?—We are going to put our effluent on to the land.

13696. As a practical engineer, you will admit, will you not, that, unless very great care is taken, a most undesirable state of things can occur if once you begin discharging sewage into a land-locked lake?—No doubt; but the Municipality of Wynberg do not propose to put any sewage into the Vlei. They say—and that is their point—that they are going to treat it—though it would be as pure as the water in Princess Vlei—before it leaves their filter-beds and before it goes over the land.

13697. That I understand to be the intention, but you will agree, will you not, that very great care will be necessary to ensure that that innocuous effluent is produced before it runs into the Vlei?—I would certainly say that sufficient care should be exercised to see that the filter-beds work properly, but I would not say very great care; such care, however, as is applicable to any system.

13698. I will put it in another way. You could not have a very much worse place to discharge sewage into, if that sewage is not properly treated before it is so discharged?—No, I don't admit that at all. There is a considerable volume of water in Princess Vlei, and when the water gets to a certain height which it does in the winter, it flows away from the Vlei, so that it is not land-locked then.

13699. What is the area of Princess Vlei?—I am not able to say straight off.

13700. Could you tell us, approximately?—No, but it could easily be obtained.

13701. You spoke just now of stormwater. Do you not consider the exeluding of stormwater an essential point, if you are going to have a bacteriological system?—I think that for bacteriological systems the stormwater is excluded in all sewerage works in England barring a little from back-yards.

13702. But where you have a bacteriological system, if you run stormwater into your sewerage, does it not create great difficulty?—Undoubtedly; and besides it would lead to considerably greater cost to provide the necessary tanks.

13703. And the ultimate effect, if stormwater be led into it, is that when a storm is on, the sewage, nine times out of ten, is run untreated into the water or wherever it goes?—I don't believe that stormwater should be introduced into sewers at all, if it could possibly be avoided.

13704. With regard to the drainage of the Liesbeek Valley, do I understand that you would rather not give any opinion on that?—I would rather not give any opinion in the shape of criticising any scheme which may have been submitted to us. I have not sufficient information before me to enable me to do so, or to arrive at a definite conclusion

13705. So that you would not like to venture an opinion, as to whether pumping is not likely to be necessary in dealing with some of the sewage in the lower lying areas?—Knowing the levels as I do know them, I would say that some pumping may be necessary, but how much it is not within my knowledge.

13706. If pumping is to be undertaken in those low-lying areas which are adjacent to Cape Town, it could probably be done more economically by combining that portion with the Cape Town area, could it not?—It is impossible for me to say without the full particulars before me.

13707. *Chairman.*] May I just ask what you mean by low-lying area? Is that area very slightly elevated above the sea level, or below the sea level, or what are we to understand by it?—I should say anything up to about six or eight feet above low water mark.

13708. As far as you know, is any of that area actually below sea level?—I have no levels which show that.

13709. *Mr. Gurney.*] In the course of your investigations in England and Scotland, did you come across any places where the disposal of the sewage is dealt with in a neighbourhood which in winter is a swamp, such as will be the case at Wynberg?—Well, yes. I think several of the places that I saw were surrounded by very wet ground, but the question of whether it is surrounded by a swamp or not is rather a detail. It entirely depends on the level of the spot where you are going to utilise your sewage works The level of Princess Vlei is some 26 feet above low water mark, whereas the place where we propose to put the sewage is 45 feet above low water mark. And it is very sandy soil to a considerable depth; we have had several pits made there to test it.

13710. You are not taking it into the part which is a swamp in winter?—Oh, no.

13711. *Dr. Anderson.*] Mr. Stewart, in the crude sewage, there is a certain amount of organic matter which the septic tank is to absorb?—Yes, it has to liquefy it.

13712. And if it did not go into the septic tank, previously, it would have a tendeney to block the contact or filter-beds?—Yes; the result is that they choke up very soon.

13713. Are you aware that these different processes are classified into ten kinds?—Yes; there are variations.

13714. For the effluent you would ask for a greater degree of purity, if you are going to put it into a small stream, than if you are going to put it into a large volume of water like you have in Table Bay?—Undoubtedly.

13715. *Chairman.*] Are the works going on at Wynberg at the present time?—Yes; but only the outfall of the sewer is being constructed; the other portion of the work will be proceeded with very soon.

Mr. T. Stewart. 25th June, 1902.

13716. What is the estimate of the cost of those works?—£51,000, exclusive of the land.

13717. Is that the estimate for the works, when completed?—Yes.

13718. Do you think they will be carried out for that estimate, under present conditions?—If the price of native labour continues as at present there will be a very small increase.

13719. Is that estimate for the public plant?—For the street sewers and the outfall works.

13720. For which the Municipality, as a body, would be liable?—Yes.

13721. Have you any idea what length of sewer that will come to, altogether?—I could not say off-hand, but it could easily be ascertained.

13722. We shall be glad to get that, because it would be helpful to those who have to deal with the matter, I mean, the length of a sewer of various dimensions?—Yes, that could be supplied, Mr. Chairman.

13723. And have you classified the estimate of the cost in the same way, or is the estimate as whole?—The sewers and the outfall works are separated in the estimate. The outfall works are estimated to cost £11,000, I think, and the rest is for the construction of the sewers.

13724. Now, do you think, that estimate would be any guide to us, as to the probable cost of the sewers in the other part of the suburbs?—No; without a full investigation, I don't think an estimate could be made for the other suburbs.

13725. That is to say, unseen difficulties may present themselves in the way of rock cutting, or other obstruction?—Yes, and the gradients of the sewers, in the other suburbs, may be less suitable than in Wynberg, where with one or two exceptions, we have very good gradients.

13726. That would mean a larger sewer?—Yes. I have plans here of the Wynberg drainage scheme to which I might refer for the information of the Commission.

13727. We should be glad if you could leave them with us for a few days, so as to enable us to inspect them?—I am afraid I cannot leave them here, but I will point out to the Commission the position of the works on them. [Witness pointed out to the Commission the position on the Plans.]

MONDAY, 7TH JULY, 1902.

Present:

Sir W. Bisset Berry (*Chairman*).

Dr. A. J. Gregory,	Mr. T. Stewart.
Mr. W. E. Gurney.	Mr. J. E. R. de Villiers.
Dr. A. J. Anderson.	

Mr. William Thorne (Mayor) and *Mr. Josiah Robert Finch* (Town Clerk) of Cape Town, examined.

Messrs. *William Thorne* and *J. R. Finch.* 7th July, 1902.

13728. *Chairman.*] You are Mayor of Cape Town, Mr. Thorne, and you appear on behalf of the Corporation of Cape Town to give a little evidence on the matters referred to this Commission?—I shall be very pleased to do so as far as it is in my power.

13729. We may begin with a few questions relating to the city's finances, which Mr. Gurney, as financial expert, will ask you, and which you may be able to answer?—I think that perhaps Mr. Finch would be the more suitable to answer questions relating to finance.

(From this point the questions were answered by *Mr. Finch.*)

13730. *Mr. Gurney.*] It is laid down by the Acts of Parliament which affect Cape Town, as well as by the Acts of Parliament which affect the Municipalities generally, that the published accounts of the Municipalities shall be of the cash receipts and payments during each half year, although it is also laid down that a statement of assets and liabilities at the end of each half year shall be prepared in addition. Are you of opinion that these requirements of the Act do not suit the working of a large Municipality?—I think that the Cape Town Act only requires it to be done once a year, but as to your question whether the general cash account is suitable I am of opinion, and I think the Council share that opinion and have done so for

a considerable time, that a different system of book-keeping is necessary in order to cope with the large business matters which the Town Council now have to deal with. The provisions of the Act of 1893 may have suited the general requirements of that time, but with the immense development of the Town's electric lighting and water schemes a better system is required. That matter is now under consideration.

13731. Of course you are aware that you cannot depart from the terms of the Act without approaching Parliament, but what I am wanting to get at is the fitness of the present system or the need for an alteration of the Act in that respect. Your experience in Cape Town would apply to some extent though perhaps not to the same extent to the smaller Municipalities also, or will apply in time?—I think the Council will be able to establish a system of book-keeping which will not only comply with the provisions of the Act but will also give the additional information which is required at a glance in connection with our large business schemes. We are advised by our City Treasurer and our auditors that they can devise such a scheme. There is, however, no doubt that additional powers would be desirable, and these would be obtained in due course when the Council are prepared to go to Parliament for those powers.

13732. Manifestly, while the Act lays down that you must publish a statement of actual receipts and the liabilities which have come in course of payment during the period, you can do nothing less than comply with the Act. It is true you may add to that but you must follow the Act?—I think that has been done.

13733. So that it is only the question of additional information or else getting an alteration of the Act?—We want a comprehensive profit and loss account to be framed for our large schemes such as water works and electric lighting.

13734. I suppose that now that they have developed into such large undertakings it is not always quite satisfactory to give the cash transactions alone?—Not from an accountant's point of view.

13735. We have heard something of a proposal made by the Council to start a Reserve Fund. Will you explain to the Commission as well as you can, what was the underlying object of that?—The object was simply to place Cape Town in the same position as any well regulated Municipality in the Old Country. It is generally accepted that where there are these large works there should be Reserve Funds.

13736. But your difficulty was that you had no legal authority for instituting such funds?—The difficulty is this: that the Act does not contemplate these large trading concerns. There is a provision in the Act, as you will doubtless notice, with regard to the levying of a rate in the Sea Point Municipality which requires that the Council shall charge a certain amount for depreciation if that rate were levied in Green and Sea Point. If we had to undertake that matter it would mean some system of book-keeping to deal with the depreciation account, but that particular account has never been started.

13737. There is also, I believe, a provision in that Act that Green Point and Sea Point may be called upon to make good any shortfall in the revenue arising from the water supply?—Yes, the ratepayers of Green and Sea Point in conjunction with the citizens of Cape Town.

13738. And this account could not be conveniently framed under your present arrangements?—Do you mean under our present system of book-keeping?

13739. Yes.—It would necessitate a great deal of work under the system at present in use.

13740. We have made an abstract of your accounts for the last five years under the headings of "General Works," "Electric Lighting Works" and "Water Works." The abstract is taken from the Mayor's Minutes, and from it you will observe that the receipts under the heading of "General Works" were £687,060 14s. 4d., and the payments £689,001 1s. 11d., a matter of only some £2,000 difference. The "Electric Lighting Works" have brought in a sum of £112,585 5s. 2d., whilst the payments have been £109,136 14s. 0d.; the "Water Works" receipts during the same period have been £210,708 4s. 3d., whilst the expenditure on water works has been £181,363 19s. 4d. From that it will be gathered that the only notable feature is the large excess of water receipts over water payments. That is, roughly speaking, I presume, the profit on water during that period?—It looks like a surplus according to this statement.

13741. You will notice that for 1901 the water receipts were £64,734 10s. 6d. and the water payments £44,734 7s. 6d., an amount of £20,000 excess of receipts over expenditure, so that, of the total excess of £29,000, £20,000 was apparently raised in 1901. To what is that large gain on the water receipts to be attributed?—I believe the Council are advised that it may be largely attributed to the abnormal condition through which we have been passing in Cape Town during the year in question. There have been large numbers of men quartered in camps and a large number of transports in the Docks.

13742. Is it not due to the supply to the shipping in the Harbour?—Not entirely, I believe, but that could be verified by a special account being prepared. The Harbour Board receive their water through meters which record the quantity taken, and although there are two bases of charge, I think the amount might easily be divided between the shipping and the rest.

13743. We have had it in evidence that a very considerable amount of profit has been, by the action of the Town Council, transferred from the Harbour Board to the Council;—a sum of £11,000 per annum, it was stated, has been taken by the Council owing to the fact that the Harbour Board were charging so excessive a sum to the shipping for the water supplied by the Council?—I think the Commission also have it in evidence that the Harbour Board are still making a handsome profit from the sale of Cape Town's water.

13744. The point I was leading up to was this: has the Council as yet indicated any readiness to give up that profit if it is given for the benefit of the Port instead of to the benefit of the Harbour Board, that is if a proportionate reduction is made on the charge to the shipping?—There was some statement on the subject, I think, and some correspondence. I believe that the Harbour Board stated that they were prepared to consider the matter, but the fact remains that they have never come to the Corporation for an agreement in regard to the water supply. They want the water on tap so to speak—just simply to take what they want from day to day and pay for it. They do not contract for a certain quantity of water to be specially provided for them.

13745. We had evidence from the Harbour Board, stating that this loss of profit was a loss that the Board could ill afford owing to their liabilities at present, but not definitely promising that if this sum could be obtained from the Town Council it would be given to the shipping, thereby benefiting the Port. What I wanted to gather from you was whether the Council had in any way shown a disposition to give up this profit if the shipping got the benefit of it?—That is a difficult matter for me to answer. It is a question of policy, I consider, and an officer of the Council is not entitled, and should not be expected, to give evidence on questions of that kind. I may, however, say this, that I believe the Corporation of Cape Town have tried to meet the Harbour Board in a fair and equitable spirit, but the Harbour Board have not come forward with any firm offer on the matter of a contract for water. The Harbour Board have preferred to take the water on the terms offered by the Council and the question of a contract has never so far as I can remember been before the Council.

13746. *Dr. Gregory.*] I notice that in your "Electric Lighting Works" account he amount expended and the amount of revenue exactly balance each other for each of the past two years; the one account agrees with the other to a penny. How are you able for two years to strike an exact balance in that manner?—The Council would doubtless have been able to show a profit on Electric Lighting Works but for the fact that the cost of coal has been so abnormally high during the 12 months covered by this account, thus making the cost of working considerably more than was anticipated.

13747. I can understand the two accounts approximating to each other pretty closely, but how in any large working concern, such as this, where the revenue is gathered from a large number of heads and the money is spent under a large number of different heads, you can come to a balance so exact that there is not a penny difference I cannot imagine. Your receipts for 1901 were £33,278 5s. 9d. and your payments were also £33,278 5s. 9d. In 1900 your receipts were £28,618 7s. 2d. and you spent exactly the same amount. How do you explain that?—It is shown under the headings "expenses of management," "working expenses," "maintenance and renewal of plant," "extension of plant," and "interest on loans," how the money was expended.

13748. Do you mean then to say that it is merely a coincidence that for two years revenue and expenditure exactly balanced?—You will see that for 1901 there was £1,437 13s. 11d. spent on extension of plant.

13749. Then do you mean that this remarkable fact is explained by the amount spent on the extension of plant. That is to say, that the amount represents the profit on your working?—It does not represent the profit. There is no profit for that year. It simply represents that the sum of £1,437 13s. 11d. was spent on the extension of plant, which thus becomes part of the permanent machinery.

13750. Am I to understand that these figures of expenditure represent money actually expended?—Yes.

13751. For which I presume you have receipts and vouchers, and that the figures under the head of "Receipts" represent money actually received, for which also you have papers shewing how you received it, then I cannot understand how, in a working concern of such dimensions, in two years the receipts and expenditure should balance to a penny?—The receipts are actual moneys received.

13752. *Mr. Gurney.*] Is it not due to the fact that the Town Council pays to the Electric Lighting Works for the supply of current for public lighting and other Corporation purposes exactly the sum which is required to balance the account?—No, the supply of current for our street lamps is at a given charge. The energy used for street lighting is recorded and charged for.

13753. *Dr. Gregory.*] Then how can this matter be arrived at? As a practical accountant you must know that there must be some way in which this revenue and expenditure is made to balance to a penny?—All I can say is that the account has been audited by two auditors, a Government auditor as well as an auditor appointed by the Council.

13754. It is evident that you have some elastic item that you can expand or contract in order to make this revenue and expenditure meet?—The only item I can draw attention to is the item "extension of plant."

13755. You think that that is the elastic item?—It is not elastic, but it may cover the amount of any surplus.

13756. This is money actually spent on extension at the time the account is made up to?—Yes.

13757. It is probable therefore that you have expended more than the amount which is actually put down and you carry the rest on under another account?—The Loan Funds provide for the major portion of the extensions to the plant.

13758 If so, then in 1901 this £1,437 13s. 11d. is an elastic item. You have probably spent more than that amount on extension. You could not have expended less?—Last year the Council incurred a very heavy expenditure in connection with their plant—an expenditure running into several thousands of pounds. In fact we had a special loan authorised for electric extension in July last.

13759. Still that does not explain how these two things are arrived at, does it?—It is perfectly clear to me. There is the amount of "extension of plant."

13760. So that that is the elastic item?—I cannot say that it is elastic, but it makes up the difference between "expenses of management," "working expenses," "maintenance and renewal of plant" together with "interest" as against the receipts.

13761. That is a sum actually at the time expended that you give as balancing this account?— Yes.

13762. Is it not rather a curious thing that you should have expended this amount to a penny?—I do not see anything remarkable about it.

13763. *Chairman.*] Do I understand that your Electric Lighting receipts for street lighting in 1901 amount to the sum of £5,355 16s. 10d.?—That is the payment from the general fund to the Electric Lighting Works account for the street lighting.

13764. But under the "General Works" heading, the item for street lighting expenditure is £5,004 18s. 2d.?—There may have been some adjustment from the previous year.

13765. Might not the General Account of the Corporation have been debited with a small sum to make the two accounts just referred to balance one another? In other words you found that you could not debit yourself with the exact amount in respect to street lighting necessary to balance the accounts so that a small sum was deducted from the General Account of the Corporation to balance the Electric Lighting Account?—I will give the Commission the details of this at a later date.

13766. I suppose it would be quite legitimate to make a contribution from the general revenue to square that account? I am only suggesting this as a possibility of how such exactitude is arrived at?—There may have been some adjustment.

13767. *Dr. Gregory.*] If such an adjustment was made the account should shew that adjustment, should it not?—This statement of receipts and payments has been made up for the Commission. I may say that our books are open for inspection and will shew all the details.

13768. You quite understand that the Commission have got these figures to work with and it is difficult for us to make use of them in any practical way unless we are fully informed as to how they are arrived at?—If the Commission wish for any information I shall be happy to give it and supply any statements necessary.

13769. In regard to your revenue in respect of charges for water in Cape Town: I see that for the years 1900 and 1901 the amounts are more than double those of previous years. In 1901 the amount was £56,937 5s. 8d., in 1900 £52,618 18s. 0d., whereas in 1899 it was only £27,001 0s. 1d., and in 1898 £26,137 10s. 6d. How much of that revenue is in your opinion exceptional and not likely to continue?—I think there was a question of a similar nature put to me a little time ago, by Mr. Gurney, and, as I then said, I would prefer to get the actual meter readings from the Harbour Board and make comparisons before I answered the question.

13770. Is the Harbour Board portion of that revenue the only variable one?—I was asked to explain by Mr. Gurney what appeared to be an abnormal surplus and I

thought that it was attributable to the fact that there had been a large number of transports in the Bay, and also that we had had to supply water to very large camps both at Green Point and other places. I may add that we have also been supplying water to Woodstock and to the Uitvlugt Location.

13771. Will you be able to give the Commission an approximate statement as to how much of that revenue may be considered abnormal and how much may be relied upon for the future?—Yes, I think that may be arrived at by taking the meter readings and the number of transports which have been in the Bay, and so forth.

13772. In your "General Works" receipts you have an item, "Fines, Band in Avenue, Interest, &c.": what interest is that?—It may have arisen for instance by the collection of a very large proportion of the rates before the 30th June, and, rather than have a big balance lying at the bank on current account, we have placed a certain amount on fixed deposit for a number of months.

13773. Then it is bank interest?—Yes.

13774. But does that explain why that item jumps from £6,751 9s. 0d. in 1900 to £10,702 16s. 0d. in 1901, a difference of about £4,000 in one year?—There is no doubt that in this amount is included some of the contributions from loans raised for various works which you will find set out on the other side of the account.

13775. What is the corresponding item on the other side of the account?—To some extent the item "Sinking Funds and Interest on Loans," an amount of £26,067 16s. 8d. for 1901.

13776. *Mr. Gurney.*] Was not a large part of that increase in receipts in the item referred to due to the increase of fines owing to the crowded state of Cape Town?—Yes, police fines are included in that item.

13777. And they went up very considerably in 1901?—There was a considerable revenue in that year from that source.

13778. *Dr. Gregory.*] Between the years 1899 and 1901 there is a difference in the item to which I have referred of practically £7,000; surely the crime of Cape Town is not responsible for that increase?—There was an extraordinary increase in the police fines during the two years 1900 and 1901.

13779. *Chairman.*] Reverting to the water account for a minute: The great increase in the receipts for 1901 does not arise from any increase of the charge to the ordinary water consumer, I presume?—No, that charge remains the same.

13780. Has the supply for trade purposes increased very much, including in "trade purposes" the Railway and the Docks?—The supply of water to the Railway is a very small matter; it only meant a revenue of £250 on last year's working.

13781. But I presume that the supply to the Docks has increased very much since 1900, and I was including that under the heading of "trade purposes" for the sake of argument?—I think that the Hydraulic Engineer of the Council will be better able to answer that question.

13782. Do you know that the water demand for trade purposes has increased?—Yes, there is a growing demand for water for trade purposes.

13783. When was the change made in the price of water supplied to the Harbour Board?—About three years ago.

13784. *Mr. Gurney.*] Has the Town Council been taking any steps to consolidate its loans?—I do not quite appreciate the point.

13785. You have some loans at a much higher rate of interest than others. There are Five per cent Debentures still outstanding and you are borrowing at a much lower rate than that now?—Yes, 3½ per cent is our usual rate of interest on loans.

13786. Has the Council had under consideration at all the reducing of the rate of interest on these higher loans?—I think you must be aware of the fact that the Council attempted some years ago to call in that 5 per cent. loan, but they were not successful. They were bound by the terms of the debentures.

13787. The offers they made at that time were not sufficient to induce the holders of the debentures to bring them in?—That was so. If you want to call in 5 per cent debentures you have to pay their market value, and if you can only give 3½ per cent debentures in place of them, you have to make it up in some other way.

13788. So that the Council has practically concluded that, at present, it cannot improve its situation in that respect?—I do not think it is possible to do so.

13789. You have started a Sinking Fund since the 1st January?—Sinking Fund payments have been made for some years past. According to the terms of some of the debentures, we are bound to have a Sinking Fund to meet the debentures drawn.

13790. Can you tell us how much of your debt is not affected by the Sinking Fund?—I cannot reply to that question from memory.

13791. *Chairman.*] What is the limit of the Corporation's borrowing powers?—I think it is about £2,500,000.

13792. Do you mean that that is the extent to which you can can go?—There is

practically no limit if the consent of the enrolled voters is obtained. You can borrow to almost any extent.

13793. You are not bound by the law which affects Municipalities in general in that connection?—No, our special provision is under the Act of 1893 by which the citizens may authorise loans for public purposes.

13794. I believe that your indebtedness at the present time is about £1,000,000?—Yes.

13795. And your ordinary revenue is about £150,000 per annum, but if you added the revenue from water it would be £200,000 per annum, and if you added to that the electric lighting revenue it would be over £250,000 per annum, so that if you went by the ordinary principle that a Municipality might borrow up to ten times its annual revenue you would be very much within such a borrowing power?—Yes, I do not think that Cape Town is unreasonably burdened with public debt.

13796. I mention this because it is an opinion of certain witnesses that the Cape Town Corporation is very much overburdened with debt. It would not appear that the figures bear out that suspicion?—Certainly not. We also return our assets within the city at a sum of almost £2,000,000. When I speak of assets I mean land and buildings within the Municipality of Cape Town. The Corporation have considerable tracts of ground vested in them which are at present undeveloped and their value is put down in figures, with the other assets, at about £2,000,000.

13797. Which further improves your position?—Yes, Cape Town's credit is extremely good.

13798. Your loans are now really only four times your annual revenue?—That is so.

13799. So that even judging by the ordinary Municipal law you are very well within reasonable borrowing powers?—That is so.

13800. Your rateable value has considerably increased within the last five years?—It has virtually doubled.

13801. The last figures we have are for 1901 which give the rateable value at £9,475,000, but since then you have had another valuation, I believe, which has added considerably to your rateable value?—If you will kindly refer to my letter covering that statement you will find that I gave the latest figures at over £12,000,000.

13802. And that rise between the valuation of 1901 and this more recent interim valuation is accounted for as much by increase in buildings as by increase in values of previously existing buildings?—I may say the last valuation was the general triennial valuation.

13803. Do I understand that since the previous valuation there has been a considerable increase in the value of property within the city limits—that is within the last three years?—Yes, both in the number of properties that have been erected and the increased value of the previously existing properties.

13804. That means that property valued three years ago and not altered is set down at more than it was set down for in the previous valuation?—Certainly.

13805. May I ask if there has been any great dissatisfaction with these rises in the valuation?—I think not. I think that the citizens are very well pleased. There is a low rate in Cape Town.

13806. You think that the citizens accept the valuation as fair and reasonable?—I do. I could forward a statement of the number of cases brought before the Valuation Court of objections to the valuation as compared with the number of objections at previous Valuation Courts, and taking also into consideration the respective numbers of the proprietors on the Valuation Rolls.

13807. I believe that your rate for the current year is a lower one than the rate for last year?—Yes, I believe that the rate for the current year is the lowest that has ever been known in Cape Town. It is 2¾d. in the £.

13808. And as far as you are able to judge, will that provide for all the requirements of the Corporation during the current year?—With economy.

13809. With such a rate will you be able to provide for all the ordinary requirements of the City in years to come?—If the Council were to embark upon other big schemes they would naturally have to increase the rate, though that might only be for a year or two. I, personally, consider that Cape Town has seen its worst days as regards its rates.

13810. Do you consider that the increase in the valuation of property is likely to keep pace with the expenditure required for the Corporation?—That again is a question that will be largely dependent upon the expenditure of the Council upon public works.

13811. Is there any reason to doubt that the ordinary requirements of the Corporation will be met by the ordinary revenue, even at this moderate figure of assessment?—So far as I can foresee, there is no doubt.

13812. I am putting these questions because we have had so many witnesses here who have objected to have anything to do with amalgamation with Cape Town because they consider it financially embarrassed?—It is my opinion that if the other Municipalities are in such a position as Cape Town after embarking upon drainage, water supply and public lighting schemes they will have reason to congratulate themselves.

13813. How long have you been Town Clerk of Cape Town?—I was appointed last year. I was appointed Acting Town Clerk in January of last year.

13814. Before that were you connected with the Corporation?—This is my tenth year of service with the Corporation.

13815. Can you tell me if, within that time, so far as your knowledge goes, the inhabitants of the city have shown a greater or a less tendency to make their places of residence in the suburbs?—I think that a few years ago the tendency was for people to go to the suburbs to live, but now the position is reversed. People prefer to live in Cape Town.

13816. Is that based upon any observation made by yourself?—I can only look around to such districts as Tamboers Kloof and the Gardens and see that there has been a marvellous development in the way of house property, and I think that tends to show that my conclusion is a correct one. There is no doubt that many people prefer to live in a city where they have decent sanitary arrangements, a proper system of sewerage and so forth, rather than have the inconvenience of the bucket system and the slop water system, which is the case in many of the suburban areas.

13817. Are there many large estates within the Municipality of Cape Town that may still be subdivided and sold for building purposes?—There are many large tracts of ground on the mountain slopes which may still be sold for building purposes. There are, for instance, the Orangezicht Estate, the Old Deer Park Estate, Mellish's property and other considerable holdings of private individuals in the district of the Kloof, behind the Orphanage.

13818. Is that all land that can be built on?—Yes.

13819. Has the Corporation much land available for building purposes?—We have a very fair estate in the vicinity of Roeland Street. We have had that subdivided, and when the roads have been made and the sewers laid down, it will be available for building plots.

13820. Is that a large tract of land?—Yes, it is of very fair extent.

13821. Is there any provision in your Act which makes it compulsory for the Council to reserve the proceeds of land sales for any particular purpose?—No, but the Council have adopted it as a principle that their land shall not be sold outright. They do not intend to give the freehold but sell it on lease, and the result will be that the Council will have a steady revenue in the future. That is the same policy which the Corporation of London have adopted, and no one who knows anything of the mother city of the Empire can deny the benefits which have accrued from that policy.

(From this point the questions were answered by *Mr. Thorne*).

13822. Perhaps, Mr. Mayor, you will tell us your views about the water supply of Cape Town. Do you consider that in the near future you will have to augment the supply for the city, or do you consider that the provision now made will suffice for a considerable number of years to come?—On account of the immense increase in the demand for water for sanitary purposes, which you will notice has been the case for the last two or three years, I am quite sure that Cape Town, within another decade, will require a very much larger reserve quantity of water for its summer consumption than it now possesses. If you will kindly refer to one item of the balance sheet, you will find that the water revenue has increased enormously within the last two years. This is caused by the town now having become properly drained, so that the water required for sanitary purposes is very much more than was required prior to that time. We have now reached a fair average as you will see by comparing the figures for 1901 with 1900, but when you compare the figures of 1900 with 1899 you will see an immense difference. In 1899 the supply was very considerably less. The account shows a charge of only £27,061 as compared with £52,618 in 1900, and £56,937 in 1901. I wish to impress that particularly upon you. You will see that the account shows only £23,000 in 1897, £26,000 in 1898, and £27,000 in 1899, and then a sudden jump, as I have already mentioned. That marks the completion, or the near completion, of our sanitary arrangements throughout Cape Town. This year I may safely state that we have not 100 houses that are not connected with the main drain. Some years ago one of our largest items of expenditure was for sanitary purposes, but that is now saved and the Town Council have only to pay the interest on the capital for their main drainage. That being the case, there will not be the same immense increase in the consumption of water for the next few years that there has been in the past five years. When the Table Mountain Reservoirs are both properly

completed they will retain most of the water from the catchment area, yet in spite of that, before the expiration of the next decade, it will be necessary for Cape Town to have another supply of water from some other outside source. The quantity which is estimated that we shall require to be assured of is not less than 10,000,000 gallons per day. The present rate of consumption of water in Cape Town is a little over 2,000,000 gallons of water per day, say perhaps 2,250,000. It was on account of our sanitary arrangements that we anticipated a shortfall in the beginning of the present year. and we were obliged to reduce the consumption for a month or so. When our reservoir now under construction is completed we look forward to having a supply equal to our requirements for another ten years. Unfortunately, owing to circumstances which our Hydraulic Engineer could not possibly foresee—I mean gravel under the rocks—the work on the new reservoir has been somewhat delayed, but the Engineer has now authority from the Town Council to employ any quantity of labour within his discretion to complete the works at the earliest opportunity. Notwithstanding the completion of this new reservoir, Cape Town, at the expiration of the next decade, will be compelled to take water from some other outside source. I have made a number of comparisons, showing the increase that is likely to take place within Cape Town proper in the matter of building. I may say that, with increased tram accommodation, practically the whole of the mountain sides will be built upon. In addition to that, we look forward to seeing considerable building at Camps Bay, and we will also have to supply that neighbourhood with water. I may state that the Cape Town Municipality hold a very large area of ground in the neighbourhood of Camps Bay. It is the property of the Municipality. It extends right down to the beach from Clifton round to Lime Kiln Bay, near Batchelor's Cove, on the Sea Point side of Camps Bay. The Municipality also owns large areas of ground beneath the Lion's Head on both sides. With a regular tram service a good portion of this land will be built upon and the water consumption will proportionately increase. Seeing that our rates are considerably less than in the suburbs—at any rate, considerably less than the suburban Municipalities' rates will be when they get their sanitary arrangements completed up to the standard of Cape Town—we may fairly expect that the building in our area will continue to increase.

13823. You mean to say, as a public man interested in the Corporation of Cape Town and in the welfare of the city, that it is highly desirable and necessary that no great delay should take place in casting about for a further supply of water than is at present available?—Certainly. We, the Town Council, have the matter under consideration, and have requested our Hydraulic Engineer to lay any reports he may have in connection with outside supplies from any area, at any distance from Cape Town, before us.

13824. You consider that within a reasonable time—say ten years—the demands of the population of Cape Town will have outgrown your present possibilities of supply?—I do; that is my firm opinion. We shall have to get an Act of Parliament to go outside our own area to obtain this water.

13825. Up to the present, you have taken no steps beyond authorising the obtaining of reports?—No, but we are considering the question of supplies from various sources, from Piquetberg Road in one direction, and also in other directions.

13826. But the Corporation have not decided upon any of these sources?—Not up to the present.

13827. May I ask, have the Corporation sufficient faith in their own ability as administrators to hesitate in placing this matter of water supply in the hands of any Board other than the Council?—The Corporation have confidence in themselves, and can control all the water for consumption in the city, and are quite prepared to do that, as well as to supply any other Corporation that is prepared to take it from them. We have appointed a special Waterworks Engineer in the person of our former City Engineer to give his whole time to the question of waterworks. Our new City Engineer's services will be devoted more particularly to the general requirements of the Engineer-in-chief for Cape Town. We feel that we have sufficient experience, and are quite prepared to do all that is necessary to take the whole of the water schemes for supplying Cape Town and the other Municipalities under our control, and I may say that I am convinced that it would be to the interest of the adjoining Municipalities if that was done. I am a large owner of property in the suburbs, so that I do not speak from a purely Cape Town stand-point. If Cape Town wished to borrow money it could do so at a much lower rate than any other local body in the Peninsula. There was clear proof of that the other day when the Suburban Waterworks required to borrow money. They tried to float a loan in England at 4 per cent., but it fell through. Cape Town's loan at present is at 3½ per cent., and rather above par.

13828. Have you any reason to suppose that the credit of Cape Town will suffer in the future?—On the contrary it will become more stable and firmer, because the City's assets are increasing in value daily.

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13829. Do you anticipate that, with the completion of the new reservoir at present under construction, you will be able to lower the price of water to the ordinary domestic consumer?—No, I do not see why we should. We supply it now at the rate of about 1½d. per 100 gallons, and, surely, if you can buy 100 gallons of water at a price of a bottle of ginger beer it is as cheap as any consumer can expect it. There has been no complaint with regard to the price of our water to the general householder in Cape Town. I may state that we have in contemplation an extensive salt water scheme which can be applied for sanitary purposes. During the period of the deficiency of water in the last dry season we allowed the householders free use of all pipes and mains in connection with the salt water system. There is now an extension of this system under consideration. Mr. Wynne Roberts, our engineer, is working up a scheme for supplying a much larger quantity of water to be taken from either the neighbourhood of Three Anchor Bay or Camps Bay to supplement the fresh water supply for sanitary purposes.

13830. Do I understand you to say that the Corporation of Cape Town would be quite willing to consider, and, if possible, to carry out, a water scheme for supplying not only the city but the whole of the suburbs as well?—The Corporation, from the sense of the Council at present, and I think from what I have heard from the principal ratepayers of the city, will be quite prepared to undertake that. They are either prepared to carry it out themselves or to fall in with any offer from the adjoining Municipalities. I feel sure that one large scheme would be worked much cheaper than various small schemes. There would be a saving in every direction. There would only be one hydraulic engineer and one secretary required. In fact the whole of the work might be done by our present staff of officials.

13831. Reverting to the question of salt water for flushing, and, more particularly, for watering the streets, has no serious complaint been brought to the notice of the Municipality of deleterious effects following upon the application of salt water for the roads?—Perhaps there has been a little discussion on the question, but salt water has been used for years past for that purpose. What the effect of the use of salt water has been it is not for me to say. It is more a question for the experts. We have been using salt water for many years for those purposes. We have had no complaints in writing to the Municipality that I am aware of.

13832. *Dr. Gregory.*] You said that this big increase in the water revenue during the years 1900 and 1901 was due to the sewerage system having been completed and more water being required?—I said that a very large proportion of it was due to that.

13833. Is it not a fact that the majority of your sewerage connections were already made by 1899?—Not the majority. The drainage was going on at that time but the connections had to follow.

13834. From 1899 to 1900 there was a jump of £25,000. Do you say that the bulk of that money was spent on water to go down the drains, because, if so, you are making out that your sewers are costing the ratepayers a pretty penny indeed?—The ratepayers are perfectly well satisfied with their bargain. Our system is more economical than the old tub system and infinitely better from a sanitary point of view.

13835. You stated that you had no powers to go outside the Municipality for water?—That is correct, according to our Act of Parliament.

13836. But I read a report of the proceedings at your Council meeting the other day at which £1,500 was voted for an investigation of the water supplies outside the Peninsula?—That is so.

13837. According to your own statement you had no legal power to make that vote?—We have powers within the Cape Division. This money may be expended within the Cape Division, but, at any rate, we are quite prepared to accept the risk of the inhabitants of the town objecting to any expenditure of that kind. The expenditure of a few thousand pounds to increase the supply of water for the town is, in the opinion of any sensible man, well laid out. We are quite prepared to take the responsibility until Parliament are prepared to grant us extended powers.

13838. As a matter of fact, in trying to do your best for the future interests of the Municipality you have been bound to undertake an expenditure for which you have no legal powers?—Not necessarily. We have sufficient power to do that without applying to Parliament. We should not be doing justice to the inhabitants of Cape Town were we not prepared to expend a trifling sum of money to discover supplies from outside sources. I know that we should be blamed by the inhabitants were we not to take all possible precautions, even if we were doing an illegal action.

13839. In your water works expenditure which we have before us I notice that while your working expenses have, on the whole, diminished year by year, with the exception, perhaps, of two years, the expenses of management have greatly increased. In 1897 the working expenses were £4,186 12s. 2d; in 1898 £4,760 13s. 6d; and in 1901 £3,892 16s. 11d., yet the expenses of management have been increasing. In

1897 they were only £2,460 8s. 9d., but they have gone upwards continuously, until, in 1901, they were £4,780 10s. 11d. That is to say the expenses of management in 1897 were only 20 per cent. of the expenditure, whereas in 1901 they were 27½ per cent. How is that accounted for?—I think myself that it can be very easily accounted for. The larger the business revenue and the larger the business to control the larger must be the management expenses. The expenses of management must grow with the growth of the institution. It is quite natural that the staff would increase.

13840. Do you consider that the increase is a reasonable one?—I think it is a very fair and reasonable increase.

13841. Do you consider that the mere gathering in of an extra £25,000 of revenue should entail nearly £2,000 extra expenses of management?—It is not merely the gathering in of that revenue that accounts for the extra expenditure.

13842. But the working expenses are quite apart from the management expenses?—There are other expenses of management than those. First of all you have a large staff and increased salaries to pay out of your increased revenue. That is the general rule of all business transactions in my experience.

13843. Then is this increase due to increased salaries?—I do not say that, entirely. There may be other reasons connected with it. If you have an increase of staff you have an increase of office expenditure and all those other little things which will take place.

13844. But does not it seem a large increase—one of 100 per cent.?—It is not quite so much as 100 per cent.

13845. It is not far off—an increase from £2,400 to £4,780 is very nearly 100 per cent?—But there is a good period of time intervening, and look at the revenue how it has increased in proportion. Personally, I am quite satisfied that if it was a mercantile concern they would be pleased to shew such results. You need only look at the revenue of last year as compared with previous years to see that.

13846. In the year 1901 you made a profit on the water works of £31,000. Now was not a large proportion of that £31,000 used to square the accounts on other business of the Council?—I do not understand what you mean by squaring the accounts.

13847. Where you had a deficiency on another account you obtained money for it from your large profits on water?—No, we did not do that.

13848. Then what became of the £31,000 profit?—You must bear in mind that for many years, in past days, the Water Works Department was carried on at a dead loss. The profit and loss account is carried on at the present day and a portion of last year's profit was placed to the redemption of the debt, whilst another portion was placed in the Suspense Account. That Suspense Account will be absorbed in supplying new pipes to the town. The increased consumption means an increase in the number of pipes and an increase in the size of pipes now laid down. It is quite on a business principle that these sums are placed to a suspense account.

13849. The deficiencies of previous years have now been wiped off by the surpluses of more recent years?—The surpluses of recent years have been placed to the credit of the account, but the old deficiencies are not yet wiped off.

13850. I ask these questions because a Sea Point witness rather made a point of the fact that whereas they were charged the same rate for water as the Cape Town consumer, in accordance with the Act, they reap none of the profits, but now your answer quite disposes of their contention?—Speaking on the subject of the water supply to Green Point and Sea Point being at the same rate as to the inhabitants of Cape Town, perhaps you will allow me to state that the Municipal officers in the past made a very great error in the matter of this Act. The Act stated that Green and Sea Point were to be supplied with water and it would have been quite sufficient if Cape Town had supplied them with the water at the boundary of the Municipality. Instead of that, Cape Town, in its generosity, has extended the distribution of water throughout the whole of Green and Sea Point at the expense of Cape Town. Cape Town ought not to have gone beyond their own boundary with their pipes. The Green and Sea Point Municipality should have received the water at their boundary and distributed it through their own pipes.

13851. Is that a specific provision of the Act?—It does not state in so many words that the water shall be delivered at the boundary of the Municipality, but I learn that Cape Town would have been quite within its rights had the water been handed over at the boundary.

13852. But does not the spirit of the Act imply that you should supply the water to the householder of Green Point and Sea Point in the same manner and on the same terms as to the householder of your own city?—We have a legal opinion that we might have delivered the water at our boundary and left it to the other Municipality to distribute.

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13853. But in that case would the charge to the inhabitants of Sea Point be exactly the same as to the inhabitants of Cape Town?—Oh, yes, as far as we are concerned. According to the Act our duty is a plain one. The Act says:—"The Council shall make and maintain, at all times, in serviceable order and efficient repair, all dams, tanks, reservoirs and other works necessary for the impounding of an adequate supply of water to the inhabitants of the Municipalities of Cape Town and Green Point and Sea Point and to the shipping in Table Bay; as also all mains, branch service pipes and other appurtenances required to convey that supply to every locality or district entitled to it by the provisions of this Act." You see, therefore, that Sea Point and Green Point are in the same position as the Harbour Board and our supply of water goes to the Docks in bulk and they distribute it. I may say that I noticed in one of the reports of the sittings of this Commission that the Chairman of the Harbour Board stated that they had to provide tanks and other things to store their water. But he might have added that they had only to provide tanks the same as any private householder who takes his 100 gallons or 200 gallons of water per day has to provide. The Harbour Board have no reservoirs.

13854. *Chairman.*] Do I understand that the Cape Town Corporation have laid pipes in the Green and Sea Point Municipal area?—Yes, all over that Municipality.

13855. Can you give us a statement of the capital you have invested in those pipes, &c.?—We shall be pleased to supply it.

13856. *Dr. Gregory.*] Section 123 of the Act reads as follows:—"It shall be lawful for the Council, from time to time, with consent of the Commissioners of the Municipality of Green Point and Sea Point to lay under any of the streets, roads and public places within the said Municipality, such mains, service pipes and water-leadings, as in the opinion of the Council it may be advisable to provide for the purpose of facilitating the supply of water to the inhabitants of the said Municipality, and the same to keep in order, repair and renew from time to time." That specifically provides for this work being done by your Council?—It only gives us the permission to do so. It does not follow that we were obliged to do it.

13857. But surely the spirit of the Act seems to imply that you were to do it?—We have been advised that we were not obliged to do it.

13858. Presuming that there was a large scheme of water supply to be undertaken for the Peninsula, would there be any objection to Cape Town joining in that scheme?—It would require a good deal of consideration before we gave up our certainty for an uncertainty. At present we have our water supply in good working order and all I could safely say would be that if there were any scheme to be laid before us it would receive every consideration.

13859. You admit that it is necessary to go outside your Municipality to a distance to obtain a suitable supply in the future?—I admit that.

13860. Therefore, what objection would there be, if a suitable and proper scheme were found, to the Town Council joining in that scheme?—It would depend upon how the control of it might be arranged.

13861. What is your idea of the control of such a scheme as that?—My idea is that the Cape Town Municipality should have the control of it. We should be prepared to deal liberally and put the other Municipalities on an equality with us in regard to the outside supply but we could not pool our present supply in Cape Town.

13862. When you say that the scheme should be under the control of the Cape Town Municipality do you mean that it should be under their sole control?—We should give the others a voice in it.

13863. To what extent?— To the extent of about two-fifths to Cape Town's three-fifths. You must bear in mind, when discussing this matter of the voice of the outside Municipalities, that the suburban ratepayers are largely interested also in Cape Town. Cape Town's mercantile community, professional community and Civil Service community have all got votes in Cape Town, though they may live in the suburbs. I think, therefore, that if the suburbs had a two-fifths representation on the Board to Cape Town's three-fifths their interests would not be likely to be neglected.

13864. On what do you base this proportion of two-fifths as against three-fifths?—In the first place the consumption of the supply would be much larger in Cape Town than in the country. Then the security of Cape Town would be worth much more than the security of the country in the matter of the raising of loans.

13865. On what particular figures do you base your proportion?—I think that the figures will bear me out that the consumption would be greater in Cape Town, and that Cape Town's proportion of the guarantee for the expenses of the scheme would also have to be greater.

13866. How would you provide for the two-fifths representation?—That might be provided for by the nomination of representatives from the various Municipalities.

13867. Representatives to what?—To a board.

13868. Then you get a Water Board?—Yes.

13869. So that the matter would not be really under the control of the Cape Town Council?—Except that Cape Town would have three-fifths of the representation.

13870. You would, then, be prepared to accept a Water Board, or an independent local authority, so far as this outside scheme is concerned, provided that your Council had adequate representation upon it?—Yes, but the Board should not interfere with our present water supply and our present assets. It should be quite a separate scheme. We could not put our present supply and the valuable assets we have in the reservoirs on the mountain at the disposal of this Board. The water supply from the country could be easily worked as a separate scheme entirely apart from the present supply.

13871. What is your objection to a large comprehensive scheme for the whole of the Peninsula in which all present and future assets and works should be pooled?—We have not gone into the question at all from the point of view of pooling all our present assets.

13872. But as a matter of principle, and of efficient working, what objection should there be to this? You would make no loss?—We might make a loss. We might be compelled to supply outside demand for water that we have already stored of our own, and that would not be fair to the inhabitants of Cape Town. We have a certainty now. Why should we go in for an uncertainty?

13873. Surely there would be no uncertainty in a large scheme for the furnishing of at least 10,000,000 gallons per day to the Peninsula, with the power to bring it up to 40,000,000 gallons per day if occasion required?—We know not what might occur, and we do know what we have. Let me put to you the possibility: Supposing that from unforeseen circumstances preventing our getting water from the country, through the mains being broken or from other reasons, we have our own supply on Table Mountain and, with economy, we would be able to supply Cape Town for 100 days in dry weather with it. We have our own asset and there is no reason why we should pool it, and be compelled to give away what we have been husbanding our resources to obtain at the present time.

13874. But it would be very unlikely that you would be deprived of this outside source of water supply for 100 days through any bursting of the main?—Other circumstances might arise, and I have no doubt that the members of this Commission are sufficiently acquainted with the reasons why it is specially desirable that we should have a large supply on Table Mountain to meet any emergency. C.D.

13875. I can quite see that it is evident if the water to Cape Town was limited in amount that Cape Town should keep what it has got, but when you have a large scheme that is to remove any doubt or danger as to sufficiency of supply over all parts of the Peninsula, surely that principle of keeping what you have got has no justification?—I think that it has, and that is my reason for speaking as I do.

13876. It may have a justification now, but would it have a justification later on when there is no danger of a shortfall?—You could not possibly get an outside supply without some danger.

13877. But supposing that your experience was sufficient to shew you that you could get this large outside supply without substantial danger of failure?—The experience is not sufficient to shew that there might not be danger to the inhabitants of Cape Town being cut off from outside supply under special circumstances.

13878. Then I take it that your objection to pooling your water supply in the future is merely based upon the hypothetical danger of supplies running short?—That is one point and a very strong point.

13879. If that danger could be shewn no longer to exist would you have any objection?—There are other reasons.

13880. Will you tell us what they are?—We have our own asset which we are not prepared to give away.

13881. But that asset is only of this value so long as you have no competing supply?—You could not give us a competing supply at a decreased rate.

13882. Supposing that you, as the Town Council, brought in a further supply to the town of 10,000,000 gallons per day, your present assets would only become proportionately of value to the part they bore of the whole scheme?—You could not supply water from any outside source at a lower rate than we supply it now.

13883. Are you of opinion then that there would be practical pecuniary loss to Cape Town in the event of its combining in a joint scheme?—That would depend upon the basis upon which you went to work.

13884. But there could be a basis upon which you would be liable to no pecuniary loss?—I do not mean to say that anything might not be possible.

13885. But if that basis could be arrived at, do not you think that it would be wise for the Cape Town Council to combine in one scheme?—Not if you had to put

into the scheme the present assets of the Council. I would agree to a combination in one scheme for an outside supply.

13886. *Mr Gurney.*] You are aware that Wynberg is well supplied with water and that, when it has finished its reservoir, it will be excellently supplied?—I am not so sure of that, when they have completed their sanitary arrangements.

13887. Then you would not expect Wynberg to take up the same position as you do about the valuable asset which they might be expected to pool?—I have nothing to do with the suburban Municipalities, but I doubt whether they have a sufficient supply when they have completed their sanitary arrangements.

13888. They have at any rate a better supply at Wynberg than the intervening Municipalities. You are aware of that, I presume?—I do not know.

13889. Would you expect Wynberg to take up the same position that you are taking up about their asset being one they would not be prepared to pool?—I am not here to advocate Wynberg's cause. I am not prepared to reply to any questions with regard to Wynberg Municipality. They are quite capable of looking after their own interests.

13890. You have been suggesting that Cape Town should take over the bringing of a supply of water from a distance and from it supply all the suburban Municipalities, thus shewing that Cape Town is taking an interest in these Municipalities?—We are quite prepared to do that and we think that we should be doing them a great benefit if we did so.

13891. If the cutting off of the water from this outside supply occurred would you leave these places without water?—I do not know anything about Wynberg. I never mentioned the subject and I am not prepared to defend Wynberg's cause.

13892. I was not referring to Wynberg in particular. I was speaking of the suburban Municipalities generally. You see you are proposing that you should acquire an outside source of water for the supply of the whole Peninsula, shewing that you are taking an interest in the suburbs. Well now, if this outside source were cut off, would your idea be that no Cape Town water should be supplied from the mountain to help these people who had been depending upon you?—If they have none at present they could not complain about that. They are not in the position of Cape Town which has its own large supply at present.

13893. Does it not occur to you that the economy would be very much greater if there was such a system of pooling as has been suggested?—I do not think that it would. Each of these places has its own asset at the present time.

13894. And would you keep all the present arrangements going on after the additional supply was obtained in which all the Councils were interested?—The others may make their own arrangements in any way they choose. The outside source of supply would be an extra supply to the present one.

13895. On the point of economy: There are different parts, not only of Cape Town but of the suburbs, which are at such levels as might make it inconvenient to supply them from an outside source. They could be much more conveniently supplied from the top of the mountain. Would you, in the event of an outside source being brought in for the Peninsula generally, be averse to giving these higher places the benefit of Cape Town's supply?—I take it that the water from outside will be brought in from a high level so that it would be able to reach the higher houses in the Municipalities. That, however, is a matter for the engineers.

13896. If I understand your proposal rightly: it is that Cape Town will continue to keep its own supply and Wynberg will keep its own supply?—Keep to Cape Town, please, I do not represent Wynberg.

13897. You would not want to take Wynberg's supply, would you?—I do not say what we would take, but I said what we would not give away.

13898. Then Cape Town is willing to take anything that it can get, but is not willing to give anything away?—I did not say that. I specially stated that Cape Town is quite willing to assist in any outside scheme.

13899. Going into the financial aspect of your water works the figures as given for the past 5 years shew a profit on the Water Works of £29,344 and on the Electric Lighting works of £3,449, making a total profit on these two items of £32,793 and a shortfall on the General Works of £1,941, thus leaving a nett profit of £30,859. The total result of this is that, starting in 1897 with an overdrawn balance of £17,691 you have now a credit balance of £13,161?—That is so. The difficulty in the two departments of Water Works and Electric Lighting is that they are worked, according to the rules of the Government, on a cash basis. On business lines they would be allowed a very much larger amount for depreciation and alteration. In conversations which I have had, more particularly with regard to electric matters, I have found that this electric lighting is practically a new item in the Cape Peninsula and no information is available as to how long the

installations are likely to last, so that there is no guide as to what amount of depreciation should be allowed. We have obtained a specalist, in the place of the late Mr. Lowe, who is taking this matter up. Then again in regard to water works. Up to the time that Mr Finch joined the Municipality there was no record kept of the age of the water pipes or their character when put in. During the last few years, however, a record has been kept of every pipe, when it was imported, what use was made of it, and so on. In a short time we hope, when the town has been relaid with pipes, to be able to say definitely what is a fair amount to put aside for depreciation.

13900. As a matter of fact, has this £29,334 profit on the water in 1901 been given to the ratepayers?—No, a portion of it only,

13901. And is it largely due to that that the rate is smaller this year than it has been before?—Not largely; perhaps it has made a difference of 1/8th of a penny in the £.

13902. You were speaking a short time ago about the water supply in the future and saying that you would have to supply Camps Bay, but are you not aware that those interested in that place declare that they have their own water supply there?—We have no record of any such supply. There are no sufficient springs there.

13903. They have brought evidence before the Commission that they have an ample supply of water?—We have no record of any such supply and I very much doubt it. They have no gaugings. It is only rainfall flow; there are no springs.

13904. You made a comparison between the Cape Town Corporation and the Suburban Water Works loans. Are you speaking with a knowledge of the reasons of the failure of the flotation of the Suburban Water Works loan?—I only know that it was published in the press that their loan was issued and not taken up. I also know that a cable came out that this failure was affecting the Cape Town loan, and we had to deny that the Suburban Water Works had anything to do with the Cape Town Municipality.

13905. You are aware that Wynberg has been able to borrow money on satisfactory terms?—I am only aware of the fact that the Suburban Water Works could not raise that loan.

13906. Matters that are to the credit of the suburban Municipalities do not appear to reach the Mayor of Cape Town?—I do not know that. What might be the rate of interest that Wynberg raised its loan at?

13907. 3½ per cent?—On the London Markets?

13908. I think so.—That seems very good.

13909. Is not one of the objections to the supply of salt water in Cape Town due to the fact that it is taken from a rather unsavoury locality?—That might have been the case in times past, but there are no unsanitary drains emptying into Table Bay at the present time.

13910. But is not the water taken from a dirty neighbourhood?—I do not think so, but if we had the control of the shipping there might be some improvement. You will notice that it is the intention of the Municipality to obtain their salt water supply from another source, either Three Anchor Bay or Camps Bay.

13911. Do I understand that you contend that the Cape Town Corporation should have the control of the shipping of the port?—We ought to have the sanitary control of the shipping. We ought to have control both of the Docks and the shipping from a sanitary point of view. I doubt very much if the plague would have spread to Cape Town had there been proper sanitary superintendence at the Docks, and if the Medical Officer in charge had been under the Cape Town Municipality. There is no doubt that the plague was brought from an oversea port.

13912. You do not think that the Corporation have sufficient voice in the Dock area in those matters?—We have no control; it is the Harbour Board.

13913. *Mr. Stewart.*] We had some evidence at the beginning of the sittings of the Commission on the supply of water for the Harbour. It was admitted that the Harbour, being a very important place, should be amply supplied with water, and it was also admitted that, notwithstanding this, no steps had been taken to get a hard and fast agreement with the Council for that supply. Is that so?—There is no agreement by which we are bound to supply them, or by which they are bound to take any quantity of water from us. They take it as requirements demand and, up to the present, with the exception of about a month at the early part of this year, they have had all they required. During the time of scarcity we placed them on the same footing as the other inhabitants of Cape Town but that was only for a few days.

13914. Do you consider it desirable that they should have a contract with you to supply water regularly?—It would lead to a more satisfactory state of things in the matter of comparison and certainty of revenue.

13915. In your opinion, if the Harbour Board consider themselves the important body that they wish us to think they are, they should take some steps to be ready for

emergencies whereby they would not suffer in the case of drought?—We are quite prepared to supply them to the best of our ability.

13916. But you are not going to run after them like a Newhaven fishwife to sell her fish, as it were?—We do not hawk our water. They come to us and we supply them.

13917. I ask that question because of some questions which rather seem to lead to the idea that the Corporation should specially advertise its wares. Do you think it is for the Council of Cape Town to take the first step to supplying water in the suburbs if they wanted it, or whether they should come to you?—We should be quite prepared to meet them in a most amicable spirit and serve them in any possible manner. We have been approached by Woodstock and we are now in negociations with them to supply an extra quantity.

13918. Then you are really assisting a neighbouring Municipality at the present time?—We are doing so and we did so last year.

13919. Under proper conditions, would you object to supplying other Municipalities?—We should be prepared to take the matter in our own hands and supply the adjoining Municipalities.

13920. When the additional Woodhead Reservoir is completed, the total expenditure on water works on Table Mountain will have been brought to a very considerable sum, will it not?—Yes.

13921. In your opinion, were the working expenses increased by that large accession to the works?—The working expenses would naturally increase with the increased quantity of water to be dealt with, but perhaps not in proportion.

13922. You would anticipate the working expenses to be greater if you had a comparatively small scheme and considerable pumping connected with it?—That naturally follows.

13923. But with a large storage reservoir which requires practically no attention your working expenses are comparatively small?—Yes, that is so, and will be so when the additional reservoir is built.

13924. Would it be altogether a hypothetical danger with a pipe line laid across the Flats to assume that the pipes might be damaged?—They might be damaged and that might interfere with the supply of the water to Cape Town, and that is one of the objections I have had to Cape Town departing from the principle of having its own separate supply in a case of emergency.

13925. Do you remember a report by Mr. Gamble in 1881 strongly recommending Table Mountain as a source of water supply for Cape Town for strategic reasons?—Yes.

13926. Would you take it that in considering a large water supply to London from Wales the same reason has weighed to some extent in connection with having one pipe line or more?—Probably so.

13927. For that reason you, as Mayor of an important town like Cape Town, would object to tying yourself to dispose of your water?—That is so.

13928. You say that you have your water and intend to stick to it?—We have our water and intend to stick to it and I think the inhabitants of Cape Town will be benefitted by doing so.

13929. Can you tell us what the cost of salt water supply is in comparison with the supply of fresh water?—As far as I can discover, it costs more to pump water than to bring it from Table Mountain.

13930. So that it would be cheaper, assuming that you could get a supply of fresh water outside at the same cost as Table Mountain water, to use it instead of salt water?—Yes, if we could get it. We know this: that manufacturers in Cape Town find it cheaper to have the fresh water run from Cape Town reservoir for manufacturing purposes than to pump that water again to a tank on their own premises for the purpose of re-using it.

13931. Some years ago it was argued that instead of constructing fresh works on Table Mountain the Council should proceed outside the Peninsula where it was alleged they could get a much cheaper supply of water. So far as information has been supplied, have you any reason for supposing that you will get a cheaper supply from outside than the one you have?—We have no figures before us that we can get water cheaper from an outside source than we now get it from Table Mountain.

13932. Is that without making any allowance for the power derived from the turbines?—I doubt if there is much profit in that matter. I do not think it is really worth considering.

13933. *Chairman.*] Just one question about the Water Board. You said that you would have no objection to participating in any scheme for largely augmenting the supply of water if it was brought by a Water Board or if it were controlled by a Water Board, but, at the same time, Cape Town would not pool its present supply. I do not quite understand how you would control your present supply under the as-

sumption that the additional supply was to be controlled by the Water Board?—I take it that if there was a Water Board and an outside supply there would be meters which would measure the supply given to the different areas, and each area would pay for the quantity of water which it consumed. In addition, each area would make a proportionate guarantee for the loan.

13934. I do not see how you would get over the difficulties of the two supplies. You would have a mountain supply and the new supply from a distance and one set of pipes in the Municipality?—You would have a meter to measure the supply obtained from the outside source directly it came into the Cape Town area.

13935. Then you would take your supply in bulk and pay for what you required?—That would be the proper arrangement of it.

13936. So that your liability to the Water Board would only be in respect of such quantity of water as you would use?—That is all that we would have to pay, but we would guarantee the stability of the whole Board by having Cape Town at the back of the guarantee for the loan.

13937. Would not that rather lead to complications?—I do not think so; I believe it could be all easily arranged.

13938. You spoke as though you could not be expected to pool your supply of water at the present time, but have not the other Municipalities in the suburbs also their supplies of water. For instance, Rondebosch, Mowbray, Claremont and Woodstock claim to have a supply of over 1,000,000 gallons per day from local sources?—Yes, I am aware of that.

13939. So that if a large supply was brought in for the general augmentation of the water of the Peninsula, these other local bodies would have their respective supplies as well as you?—They are quite capable of looking after their own interests.

13940. The 1,000,000 gallons a day which these Municipalities have, that I have mentioned, might be set off against your 1,000,000 gallons per day?—Yes.

13941. I mean to point out that none of these small Municipalities are quite dependent upon any new supply that might be brought in?—They are not at the present time, but immediately the suburban Municipalities have completed their sanitary arrangements where is their water supply?

13942. But you admitted that, if anything was to happen to this new supply which is to be brought in, you would have to economise on your mountain supply?—Yes.

13943. And it is the same argument which applies to the other Municipalities?—I am not prepared to argue what would apply to them.

13944. But you must at any rate admit that they have their own small supplies?—Yes, as a fact they have a small supply.

13945. As a ratepayer of Rondebosch, are you prepared to say anything about the water supply there?—No, I have sufficient water. I was one of the first to join the water supply.

13946. *Dr. Gregory.*] In connection with the retention by the Cape Town Council of their present works and not pooling them, Mr. Stewart elicited from you a statement that you were largely influenced in that view owing to the strategic necessities in regard to the Cape Peninsula. Do you really think that the remote possibility of invasion and the cutting off of your pipe coming over the Cape Flats should weigh in the matter of amalgamating the water supplies of the Peninsula?—I prefer that you should ask the Military authorities that question?

13947. But you spoke so decidedly about it?—I have given my opinion, and I may add, you might ask the Imperial Military authorities what they consider about it.

13948. Do I understand that in coming to the conclusion which you have arrived at you did so from information received?—I did not say so.

13949. On what information do you base your opinion that it would be unwise, on account of strategic reasons, not to retain for the sole use of Cape Town your present water supply and to depend upon a pipe coming over the Cape Flats?—Merely as a commonsense individual, and I think most of the inhabitants of Cape Town who have given any thought to that subject will have come to the same conclusion.

13950. But your conclusion has not been arrived at on technical information?—I am not giving evidence on a technical subject.

TUESDAY, 8TH JULY, 1902.

Present:

Hon. Sir BISSET BERRY (*Chairman*).

Dr. A. J. GREGORY.	Mr. W. E. GURNEY.
Dr. A. J. ANDERSON.	Mr. T. STEWART.
Mr. J. E. R. DE VILLIERS.	

Mr. James Wyllie (Member of the Cape Town Council) examined.

Mr. *James Wyllie.* 8th July, 1902.

13951. *Chairman.*] Your full name, please?—James Wyllie.

13952. You are a member of the Town Council of Cape Town, are you not?—Yes

13953. And on what Committees of the Council are you?—I am on three Committees—Public Works Committee, Public Health Committee and Water Works Committee.

13954. Have you any special points that you would like to give evidence on before the Commission?—Well, water and drainage are the two matters that I have always taken very considerable interest in, and that I have made a considerable study of.

13955. Well then, taking these two matters up first, Mr. Wyllie, do you agree with the other Town Councillors, who have appeared here as witnesses, on the point that it will be necessary to augment, further, the supply of water for the city of Cape Town within a fairly measurable distance of time?—Yes, I do. I think, however, that we will be perfectly safe for the next ten or twelve years, when the additional reservoir is finished, unless we have a very large expansion, which I do not anticipate, or unless we are called upon to supply the suburban Municipalities with much more water.

13956. You mean, unless you are called upon to supply more fully any of the suburban Municipalities with water?—Yes, with a greater quantity than we have been giving to some of them.

13957. Have you any knowledge of the suburbs, with reference to their existing supplies of water?—Well, all I know is that it is rather limited. I know that Wynberg has a supply of its own, but I must confess I do not know much about the matter.

13958. Looking on the matter generally as affecting the whole area of the Peninsula, are you of opinion that within a fairly measurable distance of time it will become absolutely necessary to cast about for a further supply of water for the use of the inhabitants?—Yes, that is my opinion.

13959. Do you think that the population in these parts is likely to increase in the near future?—Do you mean as far as Wynberg?

13960. Yes, from Sea Point right out to Wynberg?—I think all the Municipalities will have a share in the increase, but much will depend upon the facilities granted.

13961. We are now speaking of the situation, generally?—I think the area from Rondebosch towards Cape Town will receive the largest proportion of population.

13962. To what extent do you think that measures should be taken for augmenting the supply of water for these parts, speaking generally?—My idea is that another large supply—say up to about ten millions per day—ought to be brought into Cape Town and poured into the Molteno reservoir as required for distribution to the populous levels. This will include the whole Peninsula. The Table Mountain supply—yielding about two million gallons per day—will then be available for the higher levels of the whole Peninsula, and I think such additional supply would be sufficient for many decades, and probably for all time. Of course any water that is not used for the higher levels can easily be brought down to augment the supply for the lower levels, whereas it takes a lot of money to send the water up from the lower levels. The water on Table Mountain is one of the finest assets in the Cape Peninsula. Besides the ordinary use of the water, hydraulic power could be provided from it. I find that in Glasgow this power is used for working lifts, and they require machinery there for obtaining their pressure, while here we could have it from the natural fall of the water.

13963. That is to say, it is your opinion, as a Councillor, that no scheme should be considered worthy of being entertained, for the water supply of these parts, unless it is capable of yielding a supply of ten million gallons a day in the near future?—Yes, that is my idea.

13964. Is that limited to Cape Town only, or does it include the suburbs, as well?—It includes the supply of the whole suburbs outside Simon's Town.

13965. Do you think that a supply of water of 10 million gallons per day will cover the whole of the requirements of the Peninsula?—An augmentation of ten million gallons per day. I also think, that like the present supply for Cape Town, the management of the thing might be left to the Cape Town Council. I think that no further reservoirs need be built on the face of the mountain. I think any storage that may be required ought to take place near the source, so that the water would have to pass through a long line of pipe which would ensure the water keeping cool. It should then be brought into the Molteno reservoir whence it could be drawn for distribution with sufficient pressure. If the Cape Town Council had the management, I think it would be worked very economically.

13966. Without making special reference to the Council of the City of Cape Town, do you see any objection, or any great reason for fear, in the placing of the construction, control and general management of such a scheme in the hands of the ordinary Municipal authority in these parts?—Nothing is more easily managed than water.

13967. With reference to the construction of the necessary works, do you think that they are beyond the power, or the scope, of the Municipal authorities of these parts?—I think they are within the scope and power of Cape Town to a very much larger extent than the other Municipalities.

13968. In your individual opinion, do you think that the construction of the necessary works, for bringing in that ten million gallons of water per diem to the Peninsula, should be placed in the hands of a Board separated from the Municipal authorities, or do you prefer to leave it in the hands of the Municipal authorities already existing?—My feeling is that it ought to be left in the hands of the Cape Town Council, and supplied in bulk to the other Municipalities, upon a proper adjustment as to the charge to be made. The Cape Town Council are in a very much better position to go in for the whole business than the others. Of course, I don't know what will happen if an amalgamation takes place in the whole Peninsula, because then it would become all one Municipality. In that event, Cape Town would, of course, be willing to share with the others, if a proper adjustment could be arrived at with reference to the liabilities and assets. We have certain advantages in Cape Town that we should not like to lose.

13969. Let me assume, for the sake of argument, that the choice lies between the Council of an enlarged, or greater, Cape Town, or of the amalgamated Municipality, on the one hand, and, on the other hand, a Board of Works created specially *ad hoc*, which would you prefer?—Neither is my idea. With regard to the question of water, I think the Cape Town Council is perfectly competent to deal with it. And I would say Cape Town should supply all the other Municipalities in bulk, through meter, at as low a charge as is consistent with the cost of the supply and the payment of expenses.

13970. Would you prefer that to any other possible scheme?—Yes, under present circumstances.

13971. Of course, we have to consider the susceptibilities of the adjoining Municipalities, and they might like to have a share in the management and control of such a scheme to a greater extent than simply being obliged to take their water in bulk from the Cape Town Municipality?—My great difficulty is the proper adjustment of the whole matter, both financially and otherwise. If a satisfactory agreement could be arrived at, then I would say a Board of Works, but I am afraid that the difficulties are of such a peculiar nature that we will not be able to manage it in the near future.

13972. Do I understand you to say that you see more difficulty in making such an adjustment supposing that the works are to be placed under the control of a Board of Works, than if the construction and control were placed in the hands of the Municipality?—Yes, that is so. And I would repeat again that nothing is more easily managed than water. There would be no difficulty whatever to supply in bulk.

13973. Generally speaking, you prefer the extension and development of Municipal power and control to bringing in another body for regulating these matters?—With regard to the question of water, I do.

13974. You say you have devoted considerable attention also to drainage and to the sanitary requirements of the neighbourhood?—Yes.

13975. Well, we may take it that your drainage scheme for Cape Town is practically complete?—Yes.

13976. The question of dealing with other sanitary matters, such as the disposal of the refuse for this city, have you given any attention to that?—Yes.

13977. Would you kindly detail what is being done at the present time, or would you suggest any improvements which you consider should be brought to the notice of the Commission?—The garbage and refuse of the city is taken out some 12 or 15 miles and deposited on the land.

Mr. James Wyllie. 5th July, 1902.

13978. Beyond the area of the Municipality?—Yes; an arrangement has been made with the Government.

13979. And do you pay anything for it?—Oh yes.

13980. Do you pay Government for the use of the land?—We don't pay for the use of the land, as far as I am aware, but we pay the Railway Department for the removal. I have not got the data with me, but I know that we pay a certain sum.

13981. We do not want the details of that so much, but the system, broadly?—That is the present arrangement; I think, however, for that class of garbage and refuse fire would be the proper method in order to make it innocuous, but there are many difficulties in the way of erecting destructors, and so on.

13982. What are the difficulties?—We have difficulties here with regard to suitable sites. The Government made to us the offer to take the refuse away, as they want that class of material for reclaiming, or, in other words, to arrest the progress of sand on the Cape Flats.

13983. Is it your opinion that, at the present time, the depositing of the refuse in that locality is not creating a nuisance?—No; it is not creating a nuisance.

13984. You look upon the present method rather as an advantageous one?—Yes, when the stuff gets there. I will not say that it is entirely free from nuisance, seeing that it has to be carried by rail to such a distance. We have had complaints, but not lately.

13985. Then, even if a destructor were erected, you would still have a certain amount of nuisance arising from it?—Oh, yes, because it has to be taken through the streets.

13986. Is there no site near to Cape Town where the destructor could be erected?—It would be inadvisable to erect in any other place than in the city.

13987. Have you seen any of these destructors at work?—Yes; when I was in England and Scotland I made it my special business to visit the places where they are in use.

13988. Where was that?—In Paisley I saw one in use. Of course, a great number of improvements have been made; for example, by the application of steam to increase the heat.

13989. Where you saw them were the operations carried on at some distance from the houses?—No.

13990. Close to the houses?—Yes, within 100 yards of them.

13991. Do you mean dwellings?—Oh, yes.

13992. Did the people complain of the nuisance created by that?—No, there were no special complaints. There were small complaints, but those complaints did not arise with regard to the process of consuming the refuse, but they arose with regard to the taking of the refuse to the place where it had to be destroyed. The heat is so intense that everything is burnt up.

13993. Does that give any indication that, in this part of the Colony, the destructor could be erected, without having to carry the stuff away so far as its present site?—Oh yes. The Town Council were just on the eve of importing one or more destructors when this arrangement with the Goverment intervened.

13994. And do your prefer that arrangement to erecting a destructor?—As long as this matter can be disposed of without a nuisance I have no objection. Besides, the kind of land where this refuse is deposited is such that it requires all kinds of manurial properties in order to improve it, and, if we could continue to employ it so profitably without thereby creating a nuisance, I see no use in inaugurating destructors.

13995. In your opinion, the time has not arrived for any alteration in the present plan?—No, I think not.

13996. Have you been a long time a Town Councillor?—No, it is my first term. I have been three years on the Council.

13997. How long have you resided in Cape Town?—Next month it will be 22 years since I arrived here.

13998. Were you in Cape Town when the old system of dividing the town into wards was in vogue?—I was in Cape Town, but I did not take a very special interest in it at that time, because I was then new to the Colony and I was so closely engaged in my work, which fully occupied my time, that I paid no special attention to municipal affairs.

13999. Do you know whether the present arrangement of Cape Town being divided into six districts corresponds with its previous division, when the ward system was in use, so far as boundaries are concerned?—I believe they are identical.

14000. What is your opinion with reference to the proposal to return to the ward system as far as the election of members of Council is concerned or otherwise?—Well, my feeling is not very favourable to the ward system.

14001. Would you state why?—Well, it would appear that during the existence.

of the ward system Cape Town was unable to undertake any comprehensive scheme for its improvement. No big scheme could be inaugurated when the ratepayers were represented by wards, and, I think, the reason of that is that the local representatives were too much button-holed by the people in the different localities. For instance, no comprehensive drainage scheme was begun until the ward system was set aside.

14002. Seeing that you have carried out all these measures, would you not be inclined now to return again to the ward system?—I don't see any great objection myself.

14003. Is it not generally the case in Municipalities to have ward systems?—Undoubtedly. In Glasgow they have 75 councillors, and they have the ward system in use there. If the people themselves wish to have the ward system again I certainly would give in at once, but I must say that my own inclination, rightly or wrongly, goes in the opposite direction.

14004. You mean to say that your inclination is to perpetuate the present method?—Yes.

14005. Upon what ground?—Well, I think, under the present arrangement every portion of the city gets equal consideration, and there is no possibility of any collusion going on. Of course, we all know that little combinations might take place when the ward system is in use. For instance, Mr. Wyllie wants something for District No. 6, and Mr. Jones wants something for District No. 4, and Mr. Wyllie will vote for the requirements of District No. 4 if Mr. Jones will vote for the requirement of District No. 6. There is nothing of that kind taking place in the Council just now. I may, however, say that I have not had the experience of the ward representation, as a councillor, and I am simply giving my individual opinion now.

14006. At all events, you will go so far as to say that you see no great danger in re-introducing the ward system again?—No, I see no great danger.

14007. And assuming that a large amalgamation of the Peninsula were brought about, would it not then be absolutely necessary to divide Cape Town into wards? Cape Town could not go in as one indivisible unit into such a system, could it?—No, I think that it would, in that event, be necessary to divide Cape Town into wards.

14008. And to approximate the extent of these wards, as far as possible, to similar areas in the several natural divisions in the Municipal extension?—Quite so.

14009. Have you any remarks to offer with reference to the system of valuations of rateable property in Cape Town?—Well, I don't know that anything I could say upon that question would be of any value to you. If we had the right kind of man whose whole time would be devoted to the work it would be a great advantage, but, of course, if on the other hand, we get the wrong man who will simply sit in his office and make up the valuations without making himself familiar with the properties valued then we will be much worse off.

14010. Do you mean by the right kind of man a permanent officer?—Yes.

14011. What would be the reasonable qualifications to have regard to in selecting "the right kind of man" in your estimation?—He will want special qualifications, but I don't know whether I could enumerate them.

14012. Considerable experience of property values?—Yes, and a man full of energy, with a love for his work; and a man with general business capacity, besides being one who is not afraid to stir himself and make himself familiar with the condition of things outside. He should spend a good deal of his time outside in making himself thoroughly familiar with the different properties.

14013. With reference to the constitution of the Valuation Court, have you any remarks to offer.—It seems to me that the Court has done its work in a very satisfactory way. The Government appoints two men and the Council appoint several, and I don't see that there has been any substantial grievance in connection with the constitution of the Court. I am not aware of any body of men who are more familiar with the condition of matters, which require to be adjudicated upon, than the members of the Town Council.

14014. Would you not be disposed to increase the Government element in the Court?—No. It would be of no value.

14015. You think it is proper that the Municipal element should be the stronger?—I think so, because it is really a Municipal matter. I may, however, say that there is no jarring whatever; there is no distinction or discrimination between the two; they act as one body.

14016. Speaking generally as a townsman here, is it your belief that the present constitution of the Valuation Court, on the whole, gives satisfaction to the ratepayers?—Yes, I know of none better.

14017. The reconstruction of the Valuation Court is not a burning question amongst those who are prominently interested?—No.

Mr. James Wyllie. 8th July, 1902.

14018. Do you think that the complaints that have been made about the more recent valuations of property in the city are well founded, or not, or, do you think, that the present valuation of the city property is a fairly reasonable one?—I think, it is on the whole a fairly reasonable one, if rent is to be the basis, and I contend that rent ought to be the basis of valuation. The criterion should be what the property produces.

14019. But what about properties which are not rented: that is to say, properties which are being held over for building purposes? On what principle do you think they should be rated?—Well, they ought to be rated on what the land would fetch at public auction.

14020. For building purposes?—Well, if the land is suitable, in the judgment of the valuator for building purposes, it ought to be rated accordingly.

14021. You are of opinion that it should be on that basis?—Yes.

14022. Would you limit that opinion then to land which is capable of being built upon?—Oh yes, naturally.

14023. Is that because you hold that property of that description is being held back for the rise?—Well, it is very difficult indeed to go into a question of that kind. It is a burning question in all Municipalities. There is a certain increment accruing, continually, as the city expands and the landlord practically doing nothing. I happened to be in Glasgow and attended a meeting of the Town Council there, when this very subject was discussed and I know that they got very angry over it. It is one of those questions that is very difficult to deal with and it must be left in the hands of men of sound judgment.

14024. In order to effect a reasonable compromise?—Yes.

14025. Have you at all considered the question of the necessity for making any alterations in the method of valuation, by the Divisional Council of the Cape, of the city property as far as rating for Divisional Council purposes is concerned?—Well, I have considered the matter.

14026. You are aware that Cape Town pays a very large proportion of the rates towards the roads kept by the Divisional Council?—Yes.

14027. Do you consider that it is an unfair amount?—Yes, that is my feeling. I don't think we get full value for what we pay. The question is what proportion should Cape Town pay? I am of opinion that Cape Town should certainly pay something towards the up-keep of the roads outside the Municipal area as well as doing the whole of the work necessary within the Municipality, but what amount they ought to pay is my difficulty. To make them pay on the basis of the valuation of property from year to year, or as it now is—triennial valuations—I don't think would be fair. I don't consider that Cape Town should be called upon to do that. If Cape Town were to pay on the valuation basis for all time it would probably have to pay a large increase with every valuation. The outside Municipalities are not increasing at the same ratio and contribute less in proportion, but they have the use of the roads just the same. I think, we must get at some basis whereby a contribution should be fixed for a period of years hence. The thing should at once be put on a satisfactory footing, because I maintain that the roads are not going to cost more within the next 10 years for their maintenance than they cost now, and therefore why should we contribute more?

14028. And therefore you hold that the reasonable liability of a Municipality, like that of Cape Town, should be made in the form of one solid contribution from the Municipal revenue to the Divisional Council?—I think that would be the better plan.

14029. And it would follow as a corollary from that that the Divisional Council should cease to come into the Municipal area and levy a rate upon property there?—Yes.

14030. But you have formed no idea of what the amount should be?—No, I have not gone closely into that.

14031. Have you considered the question of the valuation of properties outside the Municipal area in the Cape Division?—No, but I think our valuation is close on £12,000,000.

14032. You mean the Cape Town valuation?—Yes.

14033. But you have not considered this matter in the light of the relative position of the Municipal Councils and the Divisional Council, as far as the cost of the maintenance of the outside roads is concerned, and as far as the taxation of the outside properties is concerned?—No, I have not gone into these matters.

14034. But you are prepared to go so far, at the present time, as to say that the Divisional Council should cease to rate Municipal property and that at the same time the Municipalities should be liable for a contribution towards the up-keep of the outside roads?—Yes, I think that would be fair.

14035. And you would be prepared to say that that contribution should be fixed now for the next ten years?—Yes.

14036. And be subject to revision at the end of that time?—Yes. I may say that I once thought that it would be better for the Government to do away with the Divisional Council altogether, and to undertake the maintenance of the roads throughout the whole Colony.

14037. You say you once thought that?—Yes, and I think it might be done with advantage still, although it is very difficult to give a decided opinion upon that matter.

14038. I suppose the objection to that would be that the people in the rural areas in the Cape Division would like to have something to say in their own local government?—Well, I put no emphasis on that, as far as Cape Town is concerned.

14039. Have you considered at all the question of the proposed establishment of another Municipality in Camps Bay?—Oh yes, I have considered the matter.

14040. Do you think that it would be advisable for another Municipality to be set up in that direction, or do you think that the area should be brought under the administration of the Cape Town Corporation?—The Syndicate or Company around there hold a large tract of land which I understand may be available for building purposes. The Cape Town Municipality has very little indeed to offer them—in fact I know of nothing that Cape Town could offer them except water, and they claim to have an abundance of that themselves. As a member of the Council, I find that they have quite enough in hand. In other words, the work which the Cape Town Council are called upon to perform is very onerous indeed, and they have their hands quite full enough to look after that work. I am unwilling to see another Municipality established so near to Cape Town, but, at the same time, it would be of no advantage to Cape Town to tack on Camps Bay, and I fail to see that it would be of any great advantage to the Company if they are controlled by Cape Town. In short, we have nothing to offer them, and they certainly will not be an acquisition to Cape Town, either from a financial or any other point of view that should be considered in Municipal government.

14041. Yes; but if the development of that part goes on it would be necessary to bring it more closely into touch with Municipal government, and then the question arises whether steps should not be taken now to incorporate it within the Municipality of Cape Town, or whether it would be wise to let things drift towards the creation of another Municipality there?—Yes; that is just the point.

14042. And although the Cape Town Corporation may have plenty of hay on its fork at the present time, yet, with the incorporation of an area such as Camps Bay, it is possible that the number of Councillors would be increased?—Oh, yes, and that is a point that I wish to touch upon. The work is very heavy, and we ought to have an increased number of Councillors.

14043. That brings us to the question of the general amalgamation of these Municipalities, does it not?—Yes.

14044. Have you any views on that large question that you would like to give to the Commission?—Yes. I am not in favour of amalgamation out-and-out. But partial amalgamation might take place with regard to certain matters which would be of advantage to all concerned. To my mind, it should only take place with regard to such matters as water and electricity. I think electricity could be generated close to the shores of Table Bay much more economically, and could be distributed more easily to the suburbs than it would be possible at any other point of the Peninsula. Besides being able, in such a case, to place a large plant at the one spot, you will have the advantage of the cold sea water for the purpose of condensation which has been proved to effect great economy—to the extent of 20 per cent. in the working. The temperature of the sea water in Table Bay is something like 53 degrees, and is thereby admirably suited for the purpose. I am of opinion that the whole of the Peninsula should have its lighting emanating from a central station on the shores of Table Bay.

14045. Then you would place them all under the control of the City Council?—Well, I am not so stiff on that as on water; it might be dealt with otherwise, but, at the same time, electric lighting and water are features of amalgamation that I would advocate in that way.

14046. Under whose management would you place these matters?—The water, I should say, under the management of the Town Council of Cape Town, and with regard to the electric light I would be inclined to say the same. But if the suburbs all unanimously agreed to take water and to take light, under a proper system of adjustment with regard to finance, I see no difficulty in having a Board of Works. My great difficulty lies in effecting this agreement. We all know that, unless we have the sympathy and the will of the people to do a certain thing, it is very hard to make it go, and I think it would be difficult to come to a satisfactory agreement. Glasgow, for instance, continued to extend until it practically surrounded the other places, and then there was no difficulty or friction in getting them to come

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in. That was worked out by effluxion of time, and therefore came smoothly, but if we are going to force the Municipalities against their will, then we will have the difficulty. Then, with regard to drainage, that ought to be separate for these Municipalities as well, that is to say, it should be divided into two systems.

14047. Would you place that under a Board of Works, too?—No, I had another thought with regard to that. My idea is that the septic tank system, namely, bacteriological treatment, is one which should be adopted for the suburbs.

14048. But who is to construct the works and who is to control them?—Those who use them.

14049. Do you think it is within the means of any of these smaller suburban Municipalities to construct large drainage works, individually and separately from the others, and, at the same time, to carry out a comprehensive scheme for the supply of water for their individual use?—I think they are perfectly competent, but I also think the drainage should be carried out by partial amalgamation. Take Woodstock. I think it is a little unfortunate that Woodstock did not join Cape Town in the first instance so as to have its sewage brought this way. At the present time, we don't know what extension might take place within Cape Town, and I don't think we can now allow them to pour their sewage matter into our intercepting sewer for discharge at the Flashlight Lighthouse.

14050. Your works have not been built with that idea?—No, so that we must treat Woodstock as being entirely outside the sewerage works of Cape Town, but I think that Woodstock, Mowbray and Observatory should join and have a common system on the septic tank principle. I had the opportunity, while at Home last year, of seeing one of these works in operation.

14051. Where?—In Barrhead. I went to the place, specially, after having made an appointment with the manager, and then I saw the whole thing and made full enquiries as to its working and efficiency. The town has 10,000 inhabitants and the whole arrangement is worked by one man and an assistant. I examined the effluent water—it is on the closed tank system—and I found that the effluent from the filter beds was as clear as the water on Table Mountain.

14052. You say the whole thing is managed by one man and an assistant?—Yes.

14053. What class of man is he? Is he an engineer?—No, he is a mechanic and his assistant a labourer.

14054. The whole thing works automatically?—Yes. The advantage of that system is that the sludge is reduced to a minimum. I may say that I have some books here with me dealing with questions connected with the Glasgow sewerage works and I have no objection in leaving them with the Commission if you desire it.

14055. Your idea with reference to this drainage is that there should be a combination between Woodstock, Observatory Road district and Mowbray?—Yes, and perhaps Rosebank too. I am not particular as to the number of places, so that you may include another if you like. But my main idea is to have two septic systems competing against one another.

14056. What do you mean by competing?—I mean striving for the best results against each other. I think there is no economy in inaugurating one very large work.

14057. When you were at Barrhead, did you get any idea of what the cost was for erecting these filter beds?—Comparatively cheap.

14058. Apart from the cost of constructing the drains, there is the cost of constructing the necessary work for purifying the sewage and that you say is not a very heavy one?—No.

14059. The cost of management is not heavy either?—No, it is very moderate and it is so satisfactory. In fact, the effluent was so inviting that I took a mouthful of it as it passed out.

14060. Do you know the Liesbeck River?—Not intimately.

14061. Do you think there would be any objection to discharge the effluent from such filter beds into the Liesbeek River?—Under normal conditions, none whatever. But, I think, we should provide against any accident that might happen to the works; for example, if the works were not carrying on the purification satisfactorily a danger to health might ensue.

14062. What becomes of the effluent at Barrhead?—It runs into a rivulet.

14063. That would be like our Liesbeek River?—Yes.

14064. And who takes the responsibility?—The Municipality.

14065. And there have been no objections on the part of those who live on the banks of the river into which the effluent is discharged?—No.

14066. Has no hitch taken place there with regard to the purification of the sewage?—No, but I would like to say that it should be brought to a spot where it would not be landlocked.

14067. To the Bay?—Yes, if possible. Of course, if the river has a constant

flow then there is not so much danger, but if the river is sluggish then it would perhaps be advisable to carry the effluent down by pipes.

14068. But, broadly speaking, such effluent is discharged into river beds in the old country, is it not?—Yes, and it is considered quite innocuous. I think this system would work admirably in the Cape Peninsula.

14069. Now, with reference to the provision to be made for a large water supply, you don't regard that to point in the direction of amalgamation of these Municipalities. But do you not see that to bring any such supply of water as you indicated, namely, a supply of 10,000,000 gallons, per diem, would require a very heavy expenditure of money, and that it could not be done within a considerable period of time, say within six or seven years and would also require great continuity of policy or action on the part of the authorities?—Yes.

14070. Don't you think that to place the construction and management of such a scheme in the hands of a Board, which would be independent of the Municipal. authorities, would also lead to friction?—I think it would be likely to lead to friction.

14071. You could not contemplate a large scheme for water supply intended for the whole of the Peninsula being placed under the management of any one of the smaller Municipalities in the suburbs?—My difficulty is with regard to the present water supply existing in Cape Town. If there were no water supply in Cape Town, then it would be quite a different matter, but Cape Town has its own water supply, and the difficulty to my mind is, how are you going to amalgamate in the face of that? I think if water is brought and distributed in the way that I propose, it would tend to amalgamation ultimately, because I have no doubt that in course of time the whole would become one Municipality. And I say at once that I think it is desirable, but, at the same time, I believe in making haste slowly. Shew these Municipalities that we can supply electric light much cheaper than they can provide it for themselves, and the same with the water supply, and bye-and-bye you will find that it will lead to oneness and unity.

14072. *Dr. Gregory.*] I understand you are on the Water Works Committee?—Yes.

14073. According to a statement furnished to the Commission by the Town Clerk, the revenue, which in 1899 was £27,000, jumped up in 1900 to £52,600, and in 1901 to £56,900. That was in respect of charges for water supply in Cape Town. Now, have you any idea of what was the cause of the sudden and great increase?—Yes. It was on account of the Military operations to a very large extent. The transports which arrived in Table Bay required a very large quantity of water, and the Military authorities themselves required a very large quantity. I think that almost the whole increase is due to the Military operations.

14074. So that the bulk of that revenue cannot be looked to to continue?—No, it will not continue, although we anticipate that, if all wants are to be supplied now, it will continue. That is to say, that there will be the demand for the water for a considerable time. What the Military authorities have needed the other authorities will need for a considerable time to come, and then, besides, there will be a considerable amount of extension, so that I do not think there will be a large decrease for some time.

14075. You would not then agree with the evidence given by some of the witnesses that the great increase in the consumption of water was due to the sewerage system coming into operation in Cape Town which necessitated the use of more water?—No. The sewerage system has been gradually coming into operation for the last ten years, so that, on that score, the water consumption has increased gradually.

14076. *Mr. Gurney.*] The Water Committee has the Fire Brigade under it, has it not?—Yes.

14077. There has just lately been a lamentable fire in London where there was a heavy loss of life owing to the fire escapes being too short to reach the upper storeys of the building?—Yes.

14078. Would the same state of things be found to exist in Cape Town, in the event of fire extending to the higher buildings?—We are having a building erected now of eight storeys, and after a certain height, fire escapes cannot be handled. That is to say, that after a certain height the fire escapes become valueless, so that other means of escape in case of fire would have to be provided.

14079. I want to ascertain whether the Fire Brigade Committee has taken any steps to provide means for removing people from the tops of these high buildings in case of fire?—None have been completed, but we have one of the longest fire escapes that could be operated here and it would be available for any building.

14080. Could you tell us the height?—I have not got the exact data to give you that.

14081 Would that be high enough to reach such buildings as Cartwright's and Heynes Mathew's upper storeys?—I am afraid not. A fire escape is only a ladder at

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the best, and you will at once see the danger of using a ladder for such a height. I think some other means must be found.

14082. The American system is to oblige proprietors of such buildings to have fire escapes built at the outside from balcony to balcony down to a certain distance from the ground, but the Town Council of Cape Town have no provision of that kind here have they?—No. I am not quite sure how far these provisions have been successful of which you speak in America. If a panic ensues, the rescue of people becomes a very difficult matter.

14083. We know that the Council is enquiring into the late fire in Cape Town, but I wanted particularly to know what provision was being made for saving life in the case of a fire? You have provided an amount of £2,000 for new appliances in your estimates and I was wondering whether any such fire escapes were included in this amount?—I don't think so. It is a very difficult matter because, as I have pointed out, after a certain height these escapes are valueless, but the Council is endeavouring to do its best and all they can do now is to try and make the buildings which are springing up, fire-proof themselves, that is to say, the large buildings. We are anxious to induce people to adopt that plan, and, as far as possible, to make these large buildings fire-proof.

14084. That of course would be a matter of time and it would only apply to new buildings, but that would not enable you to get over the risk in regard to the older ones?—Yes, that is so.

14085. Putting aside the question of the means for extinguishing large fires, would you say that the life saving apparatus is up to date?—I think pretty well. The idea is that Mr. Hayne is always supposed to be in touch with everything that is going on, and the Council has not refused anything that he has asked for, as far as it is necessary to carry on this work.

14086. That is, as regards the getting a supply of new material?—Quite so.

14087. But they have not quite met him in the way of wages and salaries for his men?—Well, of course, the Council have to exercise their judgment in these matters but I am not aware that we have ever gone against any recommendation which has been made by the Superintendent of the Fire Brigade. I may say that I have only been voted to the Water Works Committee within the last few months so that I am not so familiar with the details of that branch of the work as I am with matters connected with Public Health.

14088. *Dr. Anderson.*] With regard to the removal of household refuse in Cape Town, has there been any complaint since the Government took it in hand?—Not that I am aware of.

14089. And if there were any complaints now, would you expect them to arise from the collection of the refuse and its being tipped at the Railway Station?—Yes.

14090. Would you not have the same objections if you have a destructor?—There is always that eventuality that you will have a certain amount of nuisance when filthy matters of that kind have to be handled.

14091. Destructors—even of the most recent—that have been erected are not wholly in themselves innocuous? I mean apart from the fumes coming from them?—They are not absolutely, and there is a certain amount of smell, but it is very little.

14092. Are you acquainted with Torquay, and do you know whether there was any serious nuisance there from the erection of a destructor?—I don't know.

14093. Torquay is surrounded by high hills and therefore bears a resemblance to Cape Town?—I don't know.

14094. *Mr. Stewart.*] Can you tell us, Mr. Wyllie, why the system known as the dribble system is still in existence in Cape Town?—I know of no reason why it should exist.

14095. Is it a system that you approve of?—It is one that I very strongly disapprove of. As a matter of fact, I was not a month in the Council when I put a motion on the paper that the water should be drawn from the main and that all new pipes should be so enlarged that the quantity of water now drawn in 24 hours could be drawn in eight or ten. Our pipes at present are too small to supply the full demand direct. If this were done it would be a great advantage in the case of fire as well, namely, to have large pipes carrying a large quantity of water under the same pressure. I am strongly in favour of having the water supplied on the full-power system.

14096. You told us that you had been in Great Britain about a year ago?—Yes.

14097. During your investigations there did you come across any towns which had the dribble system?—No.

14098. Did you hear of any towns which have it?—No.

14099. With regard to the evidence on sewage at Barrhead, do you know if the

filtering material in the filter-beds had been removed since the time that the filters had been put in use?—No, I cannot answer that question quite, but I think that the material requires to be cleansed. I did not, however, go into that particular point, so that I cannot say within what time it has to be done.

14100. Do you know whether or not it has been the habit of some of the advocates of the bacteriological treatment of sewage to neglect the necessity for changing this filtering material simply because most of the works in use have not been in operation sufficiently long to enable experience to be got from their working?—No; I cannot give you much information on that point.

14101. You saw such disposal works at Glasgow, did you not?—Yes.

14102. Do you know the principle which they keep in view there with regard to putting sewage into the river?—Yes.

14103. Is it the case that they maintain that if they put the sewage into the river in as good a state as the water itself in the river they have fulfilled their duty?—Of course, that is their contention, but they will be in a condition to purify to any extent. I may say that I have a plan here of the Dalmarnoch system, and I went through the works, which answer admirably.

14104. *Chairman.*] You said also you had some books with you?—Would you kindly put them in now for the information of the Commission and we will see that they are returned to you?—Yes, I brought them purposely for the Commission and I put them in as well as the plan. [Plan and three books put in.]

Mr. William Thorne (Mayor) and *Mr. Josiah Robert Finch* (Town Clerk) of Cape Town, further examined:—

14105. *Chairman.*] There is just one point that I would like to have further explanation from you about, and that is with reference to your suggestion about the Board for constructing water works necessary for augmenting the water supply for the Peninsula. I don't quite follow you as to how you propose that this Board should be formed and worked which should control the whole of the water supply. Do you think that the Board should be nominated by any particular body, or do you think that it should be elected by the ratepayers, and do you further consider that it should have statutory powers? In the first instance, suppose you are in favour of such a Board of Works, by whom do you think it should be elected or created, and of whom should it consist?—I should think that it should consist of members selected, or elected, from the various Municipalities and that the Board should have Parliamentary powers to deal with these questions.

14106. In fact, you would carry out the principle at present in existence in the case of the Suburban Water Works Board?—We would carry out that principle, yes; and the membership of it should be on a *pro rata* principle in regard to the various Municipalities. That is to say, that their representation and guarantee should be in proportion to population and rateable value. For that reason I said yesterday that Cape Town should require three-fifths of the representation, seeing that Cape Town would be the largest guarantor. The Board should have Parliamentary powers because they could not possibly deal with any water scheme unless they had that; and it may be that the Government might wish to nominate a member on the Board seeing that they will be very materially interested.

14107. Then your idea would be to give the Board power to sell this water to the consumers who wanted it, and to call upon the various Municipalities to make up any deficit that might arise in the working or in the cost of the scheme?—Yes, and I think it could be quite easily managed with Parliamentary power.

14108. It would just be an enlarged Water Board, such as there is for the Suburban Municipalities?—Except only, I think, that the Water Board at the present time have no rating powers.

14108*a*. *Chairman.*] The Board has rating powers.—I am not conversant exactly with what their powers are, and of course a new Water Board would have the guarantee of the different Municipalities giving the borrowing powers. The same principle would apply to the profits arising out of it, which would be divided *pro rata* in the same manner. In fact, it would be something on the basis of a limited liability company.

14109. I think you said yesterday that the Town Council of Cape Town had appropriated money for investigating water schemes?—A very small sum—something like £2,000—but, as a matter of fact, they have not spent £1,000.

14110. Is that investigation going on at the present time?—Yes.

14111. By your own officers?—Directly and indirectly; they are accountable to the Town Council for the expenditure.

14112. I suppose you consider it inadvisable to disclose to this Commission the

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particular line of investigation that is being performed?—I could not think of mentioning what we are doing in that direction, because, if I did, it would enable others to come and steal a march upon us. I might say that we have various schemes on hand, and it will rest with the Engineering Department as to what will be decided upon.

14113. May I ask when this money was voted, Mr. Mayor?—Since I have been in office.

14114. Within the last six months?—Within the last twelve months.

14115. This Commission was appointed in March last, I think: was it before that time?—I could not give you the date.

14116. But, as far as you know, at the present time they have not decided upon any scheme at all?—No.

14117. Have any reports been considered as yet?—Well, not to any finality.

14118. Was it not just quite lately that a sum of £1,500 was voted?—A smaller sum was voted prior to that and then an additional amount was voted recently.

14119. There is no report at present that you are willing to supply the Commission with, confidentially or otherwise?—We have not any report at present.

14120. But I understand you to say that, in addition to your own officers, who are undertaking this investigation, certain other outside engineers, or qualified persons, are also engaged?—Directly or indirectly they are all under the control of the Council.

14121. But you are employing others besides your own officers, are you not?—They are really our own people. They are responsible to the Council.

14122. On the questions relating to drainage and sanitary systems, Mr. Mayor, I suppose it is not necessary to get much evidence from you as your drainage scheme is practically complete, is it not?—Yes, so far as it is required at the present time, save what is called the surface water drains which are still in progress. There are two systems of drainage. One for sanitary purposes, and the other for surface drainage, and they have required a very large expenditure. The sanitary drainage is quite complete, except where extensions are required in the case of additional properties which are now being laid out. But the surface drainage is still in progress and will take some time before completion. In fact, the surface drainage is calculated to give us more trouble than the sanitary drainage.

14123. In what way?—On account of the immense increase of surface water that now comes down which was formerly absorbed by the vegetation on places which have since been turned into building lots. Take, for instance, Tamboers Kloof, which was covered by trees and all kinds of vegetation; it is now being built upon, so that the water which was formerly absorbed by the vegetation and taken into the soil now comes down in an immense stream.

14124. It comes down more rapidly?—Yes, it all runs off. There is nothing to absorb it now. The same trouble will occur in the case of the Orangezicht Estate and we are anticipating that to a certain extent. There is a new surface drain to be completed through Adderley-street. There are schemes "A" and "B" for carrying off water from the different parts of the town, but it is only for surface or storm water.

14125. Have your works been adequate, through the recent storms?—Up to the present we are quite clear for this year. The course is clear and it is carrying off all the water.

14126. The great danger lies in sudden severe storms on the mountain side, does it not?—Of course, there are storms that occur in South Africa that do not occur in any other part of the world. The rainfall within a certain given number of hours is sometimes quite unprecedented, and it may not occur again for cycles of years. In olden times Cape Town was provided with open sluits and gutters to carry off the water.

14127. Have the claims for damages arising from storm water been very severe of late years?—Very slight last year, but we are getting over that difficulty now for two reasons, namely, that the drainage itself carries off a large quantity of water and the buildings which are now erected under the control of the City Engineer have their floors raised to a sufficient height to prevent the properties being inundated as they were in the past. A great many claimants have sent in claims for damage caused on account of their floors being below or just on the level of the roads, but now, with regard to the new properties, protection is provided against that.

14128. Your provision for the removal of the city refuse is in a fairly advanced condition, is it not?—Our arrangement in that respect has now been taken over by the Government, who remove the refuse in railway trucks at so much per ton.

14129. And that method works so far satisfactorily, do you think?—Well, we work fairly well together. We had an idea of erecting destructors; but the Government found that it would be a great loss if the refuse of the town was so destroyed, rather than enhancing the value of the land on the Flats, where the trees alone bring in a large revenue. This refuse is making the sandy soil out there profitable for

farming and agricultural purposes Therefore we have abandoned the idea of erecting destructors. Our idea at the time was to erect two destructors, one at each end of the town, and we made provision for that accordingly. But seeing that the Government were prepared to undertake the removal in trucks to the country at about the same cost that the destructors would have been to us, we have come to terms with the Government in respect of this service for the ensuing five or ten years—I am not quite certain of the period.

14130. And, up to the present, that arrangement works satisfactorily to all parties?—I believe so I think the refuse is carried away about 20 miles—right out into the country—and is carried in different directions—for a little time being deposited in one place, and then again for a little time deposited in another place. I think it is working quite satisfactorily. There was some objection, however, during the early stages of the plague, but since that time it has been taken out of the hands of the contractor, and things work smoothly. The nuisance at the time arose mainly owing to the insufficient covering up of the refuse.

14131 *Dr. Gregory.*] You stated, Mr. Thorne, that the Council were instituting enquiries into the provision of an additional water supply outside your area, and that it was partly being done by your own Council's officials and partly by outside advice. Now could you inform the Commission as to who is making these observations for the Council outside your own officials?—No, I am not quite prepared to tell you that. I don't think it would be fair.

14132 I will put the question in another way. Is any member of this Commission making enquiries for you?—I am not prepared to tell you who the parties are that are making these investigations, and I don't think that it is a fair question.

14133. I think, Mr. Thorne, that it forms part of the work of the Commission. Are you not aware that this Commission has been instructed to enquire into and report upon suitable sources for augmenting the water supply of Cape Town and the Peninsula?—We shall be very glad to get your assistance and—

14134. You are aware that those are our instructions?—Yes, and we are prepared to assist you as far as we possibly can.

14135. And, under these circumstances, it is very necessary, is it not, that the Commission should know what is being done in order that anything done by the Commission may not clash and that the same work may not be done twice over?—I am quite sure that nothing would clash with any arrangements that we might be making.

14136. Still, at the same time, you don't think the Council will be prepared to afford the Commission the advantage of any information it may have acquired?—Oh yes, we shall be prepared, as soon as we have any scheme ready, but the whole thing is in such an embryo form at the present time that it would be better for all parties that it should first be carried on to a conclusion. But, when completed, we shall be very pleased to submit the same to you.

14137. But assuming that this Commission should start upon one or more of the schemes that the Council are enquiring into, and commence observations and surveys, would it not seem rather unnecessary that two sets of observations and surveys should be made in regard to the same area?—I doubt very much whether that would be the case, but, assume that it is so, then it would only confirm the position taken up by the Council. If all the evidence works for the same object then it will have much greater weight.

14138. Still, if it is done properly by either, one ought to be enough, and it would mean double expense to have two?—I don't think it would double the expense, and I consider it would rather reduce the expenditure.

14139. To do work twice over?—We have not been informed that the Commission is at the present time taking any steps to gain the information that we are endeavouring to obtain.

14140. This Commission as a matter of fact has been taking steps in that direction, and is making enquiries; under those circumstances, don't you think it would be advisable for the Commission to know exactly how far the Council have gone, and in what direction they have proceeded in this matter?—Before the Commission closes its enquiries any practical work that the Commission may have done, and any practical work that the Town Council have done, should be communicated to either body in order to know what progress has been made in any practical enquiries.

14141. Quite so, that is the principle I am referring to?—Yes, but at the present time I am not prepared to let you know how far anything has been done prior to the completion of the work. However, we shall be prepared to let you know.

14142. *Mr. Gurney.*] But if the Council appreciated the fact that this Commission was making the necessary enquiries, would it not be well that the Council should cease making theirs for the time being?—The Council have been making

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their enquiries for a very long time past, and we now want to know something practical as to the effect of those enquiries. A very large number of schemes have been laid before the Council, and what we ask is that any one of those should give a supply of 10,000,000 gallons of water a day and there should be the possibility from that source of conserving water for a 50 days' supply. Now if any of these schemes —we have placed the matter before our officials—is to be adopted for bringing in the water, we will have to decide on the question of whether it is practicable.

14143. But for many years the Council has been keeping its eyes open for a possible water supply from outside the Cape Peninsula; then comes the appointment of this Commission upon which the Council's Hydraulic Engineer is put as a member. Surely the Council then should wait for this Commission's investigations and not choose that moment to make investigations of its own?—Mr. Stewart is not our Hydraulic Engineer.

14144. But he has been, and therefore one would say that the Town Council would have sufficient confidence in this Commission to warrant their waiting and not making their investigations until they have heard what investigation we have made?—What we are doing, I take it, would assist the Commission, provided that the Commission is also making practical investigations, so that the results of both could be compared before any conclusion is arrived at.

14145. But then they might overlap, or duplicate the expense?—No, there is no chance of that. We are taking good care that they shall not overlap.

14146. *Dr. Gregory.*] But as both the Council and the Commission have the benefit of the advice of the same gentleman, is it not probable that they would overlap? —I don't think so, because we have our own officials in the Town Council.

14147. *Chairman.*] These officials are carrying out an independent investigation? —I don't say so. The Council has authorised its officials to get any information that they possibly can and lay it before the Water Works Committee which would, in turn, lay it before the Council. And, of course, if they were to make it known to the general public that they were going to adopt scheme "A" or scheme "B," they would have to pay much more than the intrinsic value of what they require.

14148. *Dr. Anderson.*] The Corporation having its own trained officials, it is rather unreasonable to ask the Council to stop its investigations owing to the sitting of this Commission, especially seeing that these investigations were commenced before this Commission was appointed?—It has been under review for a very long time past.

14149. *Mr. Stewart.*] Is it within your knowledge, Mr. Thorne, that the Town Council, somewhere in 1892, began to look for an outside source of supply?—I may say that the Town Council have been for a long time past on the look-out for an outside supply. They anticipated that they would have to go in for an outside supply. Their reservoirs and means of husbanding their water on the Mountain with the new reservoir now in course of construction were anticipated to be completed two or three years ago. Had that been completed according to anticipation, they would have been making other arrangements at a much earlier date for getting an outside supply. They have been generally known to be on the look-out for an outside supply for many years past, but having such a large amount invested in the Mountain and not anticipating that the demand would increase to such an enormous extent as it has, they have not taken that active part in the enquiry that they have done for the last year or two.

14150. And, as a matter of fact, you adopted the system of water supply from Table Mountain because, under the conditions existing some ten years ago, it was the cheapest water supply you could get?—That is quite correct.

14151. Coming to a more recent date, is it within your knowledge that the Council were aware some two years ago that it would probably have to look outside the Peninsula for a further supply sooner or later?—Oh yes, they were aware of that.

14152. And, as a matter of fact, long before this Commission was talked about, I suggested to the Town Council of Cape Town that certain investigations should be made?—Yes, there was a report sent in by you to the Council asking them to be prepared to get an outside supply.

14153. And, although I do not know what you propose to do with the money you may have voted lately, still, as I understand it, the investigations which you are going to make are for your own guidance entirely?—Entirely.

14154. And from your evidence given yesterday, I believe you considered that Cape Town, owing to its position as the most important factor in the determination of a water scheme, regardless probably of this Commission, you should want to be perfectly satisfied that whatever scheme you may become party to is the best scheme?—Quite so

14155. *Chairman.*] I don't know whether it is necessary to say more about the water question except that one can only express the hope that your investigations and

our own will come into the same focus, as it were?—Yes, sir, we do hope that the Commission itself will, at an early date, do something practical in the matter.

14156. Our position is this: that we have to enquire into certain possible source of supply, several of which have been indicated by certain witnesses, but the difficulty is to make a choice, and the feeling of the Commission is, if not as a whole at all events of a majority, that it is within our function to indicate to the Government the best source of supply for the whole Peninsula; and it is quite possible that the investigations undertaken by this Commission and the investigations taken by the Town Council may coincide in result; and we shall be happy to receive that assistance which you, as a Council, could supply us with?—Yes, and I hope that the Commission will also get some practical results of the various sources.

14157. We have to suggest a scheme, or schemes, which will be suitable, not only for Cape Town, but for the whole of the Municipalities. There seems to be a common want and it may be necessary to indicate a common supply. It may be difficult to please all parties, but, as far as you are concerned, I understand, you will be willing to co-operate?—We will give you all the assistance we possibly can.

14158. *Mr. Stewart.*] May I ask if the Commission has communicated with the Town Council, or with the Water Works Committee, with a view to getting any report which they might possess with regard to the water supply?—We have had no communication from this Commission to supply them with any information on questions of water; only on questions of finance, and with that request we have complied.

14159. *Chairman.*] The reason for that is that it was only yesterday that we came to know that the Town Council had voted any money for that purpose. At all events, as far as I am concerned, I only came to hear of it yesterday; otherwise, I daresay, we would have asked you for the information earlier?—Yes.

14160. In the matter of streets and roads. I don't think there is much that we might require from you on that head. The only point, perhaps, of interest is the question of the management of main roads by the Divisional Council as far as that affects your Council?—Outside roads?

14161. Take the roads within your boundary. There is an arrangement between you and the Divisional Council with regard to the main road passing through the Municipality of Cape Town, is there not?—The Divisional Council don't do anything with regard to this road that runs through Cape Town. The Cape Town Municipality has the control of it, and looks after the maintenance of it, and we get a refund from the Divisional Council of something like £2,000 per annum for the up-keep of the road.

14162. How long has that arrangement been in existence?—It is an old standing arrangement.

14163. The contribution by the Divisional Council towards the maintenance of that portion of the main road has not increased of late?—No, it is just the same.

14164. But how is it with reference to the cost to you, as a Municipality. Has that increased? Has the traffic on that portion so increased that it costs you a great deal more to maintain it now than in the past?—Within the last few years it has increased; and with the traction engines going over the roads, it is hardly possible to have them kept in any proper state of repair. The bars on the wheels of these traction engines act like a mill, and cut up the roads very much indeed. The traction engines are not allowed to run through Municipalities in England, except under very special circumstances and conditions. I will give you an instance. In the town of Lancaster, where the streets are laid out with stone sets, the proprietor of a traction engine, before it is allowed to pass through the town, has to deposit a sum of £100 with the Town Councill. Then a man will walk in front of the engine with a whitewash brush and mark out a route for the traction engine to follow. Then, any stones that are broken up by it are replaced at the expense of the owner of the traction engine. Here, unfortunately, it appears that the traction engines have come to stay and the Council have no power to deal with them, besides getting no revenue out of them, although the Council used to get a considerable revenue out of the old waggons. Here they have even gone beyond the English bye-laws by having these bars across the wheels which are not allowed in England. And there is no stone within the Cape Peninsula that will stand as a macadam against these traction engines.

14165. Have you no power, at the present time, to prevent that?—No, but we are applying for it.

14166. In your new Bill?—Yes.

14167. *Dr. Gregory.*] But where you have proof that any particular damage has been done, you could proceed against them, could you not?—No, not at the present time, even if they grind the roads up to powder.

14168. I ask this question becauseI notice up in Hope Street the traction engines have completely smashed up your granite channelling. Now could not the Council claim against the owners of those engines?—It might possibly do so if they see the

engine going across it. And of course, we would have a claim if they get into the kerbing and guttering, but the difficulty is in watching them and proving the damage. For ordinary traffic however we have no means of compelling them to pay for the wear and tear of the roads.

14169. *Chairman.*]. With reference to the maintenance of the outside roads. Have you any views that you would like to state to the Commission?—Well, I have attended a good many meetings in connection with the Divisional Council, and I have taken the chair at the late meetings. My own feeling was, in reference to the Divisional Council roads, that they could be well maintained and controlled by our suburban Municipalities themselves.

14170. That is with reference to the portion of the road within each Municipality, respectively?—Yes.

14171. But now, with reference to those roads outside the Municipality?—Even that could also be managed by the suburban Municipalities, and the outside roads should be paid for in a larger proportion by those who make use of them, than is done at the present time. If a new road is made through a certain agriculturist's ground on the Cape Flats by the Divisional Council. it has enhanced the value of that ground enormously, and the owner of that property is not taxed in proportion to that enhanced value. And therefore a very much larger proportion of the expenditure comes out of the pockets of the Cape Town Municipal householders than should be the case.

14172. Then generally you think that the up-keep of these Divisional roads and Main roads within the several Municipalities might devolve upon the Municipalities in question?—I believe so.

14173. And you think, therefore, that the Divisional Council should, after these Municipalities have taken over the roads, cease to levy rates on properties within the Municipalities?—Yes.

14174. And you would be in favour of the Municipalities, in addition to their keeping up the roads within their own boundaries, giving a contribution towards the maintenance of roads outside their boundaries?—Oh yes, they should give a trifling amount, but nothing in comparison to what it is at the present time. I am quite sure that Cape Town would be prepared to render them assistance.

14175. A certain proportion of the estimated cost of making up these roads?—Yes.

14176. You would not be in favour of abolishing the Divisional Council altogether?—I do not see why the different Municipalities themselves should not appoint a sub-committee to deal with these roads, so that the Divisional Council could very easily be abolished. They have a dual valuation now and, I think, they could safely take over the Cape Town valuation and, in the same way, the valuation by the Municipalities in the suburbs. In many instances they employ the same individual to make the valuations for the suburban properties, both for the Divisional Council and the Municipal Council, and that means doubling the expense.

14177. But I was referring more to other work in the rural areas which would require some representative body to administer to the omission of valuations or up-keep of Municipal roads?—Then the work would be reduced to a small minimum. And the question is whether the whole of the outside area could not be controlled by sub-committees of the various Municipalities. It is a very small area after all which is outside the Municipalities in the Cape Division.

14178. What is the extent of it? It is some hundreds of square miles, is it not?—Oh, yes.

14179. Then there are other things that require attention, are there not, in a rural area like that, such as sanitary matters?—Well, they have not done so up to the present time.

14180. True, but they have had no power up to the present time; and should not these outside areas have an administrative authority with more power than the Divisional Council have at present?—I do not see why the Public Health Act could not be made to cover that.

14181. Is not the whole area of the Cape Division becoming so thickly populated that for its interests you require a body with larger powers than the Divisional Council has?—Well, the Municipalities might extend their boundaries.

14182. Would you rather see that done than give the Divisional Council any additional powers?—I think it would act very much better.

14183. But would the rural ratepayers agree to that, do you think? Would they like to be municipalised?—It is not what they would like. It is what would be the best for the whole community that I would like to see done.

14184. Take an area like the Constantia one. Would you place that under a Village Management Board, or a Municipality?—I would make it a Village Management Board in the early stages and as the properties increased that body might have increased powers. I think, they would be very well controlled.

14185. So that, so far as Divisional Councils are concerned, you don't see any use in continuing them?—I don't really see much use in continuing the Cape Divisional Council. I have a statement here which has been prepared by the Town Clerk, shewing the percentage of loss in rates assessed by the Divisional Council, and this I put in for the information of the Commission. [Statement put in.]

(*Mr. Finch*:) The statement shews that 25 per cent. of the Cape Divisional Council rates as outstanding, so that if there is any refund, it would therefore be 25 per cent. short of what it ought to be.

14186. From what source have you drawn this information? (*Mr Finch*:) It is from the statistical register. I think His Worship's point is that if the urban authorities were left to collect the rate it would be better done, as the statement shows the Municipal collections to be within a very low percentage of the possible.

14187. This statement I see is signed by Mr. Martin. Is he an accountant in the Municipal Office?—(*Mr. Finch*:) Yes.

14188. In the matter of electric lighting, Mr. Thorne, you are increasing your plant very much, at the present time, are you not?—Yes, to a very large extent. We have a new electrical engineer who has lately arrived from Europe.

14189. And you would be prepared to supply electric light to a very much greater extent?—We hope to be able to supply, not only Cape Town, but also the suburbs.

14190. You are fairly well satisfied with the working of that plant, are you not, I mean, so far as financial results are concerned?—It is rather in an experimental stage, but so far it has been a success and, with the experience that we have lately had and with the appliances that we now have, we look forward to making it a very paying concern.

14191. There has been no loss to the Corporation?—There has been no loss whatever.

14192. *Dr. Gregory.*] In regard to this statement of the electric lighting expenses for the 5 years, I notice that, during the last three years of that period, namely, the years 1899, 1900 and 1901, under the headings of "Expenses of Management," and "Working Expenses," while the revenue from the Electric Lighting Works has increased, roughly only 50 per cent., that is from £22,000 to £33,000, the expenses of management and working expenses have increased by 125 per cent., namely, from £8,000 up to £18,000. And then again, taking the expenses of management, they have increased from, £2,000 up to over £4,000; and represent an increase of from 9·7 per cent. on the whole expenditure, to 12·3 per cent. on the whole expenditure. Is it not the general experience that, as the size of works increases, the proportionate expenditure of management decreases?—We hope to do so in our new operations.

14193. Can you account for it, why in this case during the last three years it has gone up in this manner, instead of going down?—Well, the cost of coal has materially increased.

14194. But does that affect the expenses of management?—Well, the cost of working expenses too; and in addition to that we have found that it has been cheaper to work on a larger scale down at the Dock Road than to have the works up on the mountain side. We are now having appliances at the Dock Road that will do away with any unnecessary expenditure, as it is going on on a very large scale.

14195. Then I take it that, as a business man, you agree that this increase in the expenditure is not satisfactory and that it really ought to have been a decrease?—Well, we hope to get that in another few years.

14196. *Dr. Anderson.*] In answer to Mr. Gurney, yesterday, you said that you would like the Town Council to have control of the shipping. I suppose you mean by that the full sanitary control of the Dock area?—That is what I mean and, of course, the granting of pratique also to vessels arriving here. That of course would be included in it.

14197. But, of course, it is not necessary that that should be included in it?—Well, I consider that the Council should have control over vessels arriving here with oversea diseases, as they are now allowed to land their passengers without reference to the Town officials, and that often is the cause, as it has been in the past, of spreading disease. The Town should have control of the landing of passengers or of the crew; and, in fact, control of any vessel having communication with the port.

14198. But apart from that, there are other matters which ought to be under the direction of the Council in connection with the Dock area?—Oh yes. The shipping in the Dock area and sanitary matters generally should be under the control of the Council.

14199. Are there not, at the present time, 80 or 90 cottages which are undrained and which are, at the present time, served by the objectionable pail system?—I don't know the number of them, but I know that there are cottages which are unconnected with our drainage, at the present time.

Messrs. William Thyne and J. E. Finch. 8th July, 1902.

14200. We have been told that nearly every house in Cape Town, at the present time, has been drained and, therefore, if these cottages had been under the Council, the presumption is that they would also have been drained?—Yes.

14201. The Council possesses the drains and sewers and if they had control, they would have extended these in order to connect these cottages?—Yes, our drains are close by there and they could very easily be connected.

14202. Do you think it is a menace to the health of the city that there should be, so to speak, in the heart of the city a number of undrained cottages?—I certainly think that the same conditions should apply to the Dock area, as apply to any other part of Cape Town, but under the present circumstances, we have no control whatever.

14203. Then certain nuisances may arise in the Dock area with regard to refuse and so on?—Yes, and we have no control over it.

(*Mr. Finch*:) With regard to this matter, I should like to draw the attention of the Commission to pages 174 and 175 of the Mayor's Minute where a report is given of a lecture delivered by Professor Simpson on the 31st May, 1901, dealing with the outbreak of bubonic plague, before the South African Branch of the British Medical Association.

14204. *Chairman.*] Has any action been taken in regard to that matter?—(*Mr. Finch*:) Representations have been made to the Government from time to time.

14205. Generally, the Town Council wish that more effective sanitary control should be given them over the Dock area?—Yes. I believe the Harbour Board appoints a sanitary inspecter at the present time.

14206. *Dr. Anderson.*] You are a member of the Harbour Board, Mr. Mayor, are you not?—Yes, but I am not sufficiently acquainted with the details of the working of the Harbour Board matters to go into that.

14207. You have had no report?—No.

14208. *Dr. Gregory.*] The Dock area is under the administration of the Harbour Board, is it not?—Yes.

14209. The sanitary administration, or rather the port health work, is under the administration of the Colonial Secretary, is it not?—Yes.

14210. The sanitary work relating to shipping and the introduction of diseases?—Yes.

14211. How far the jurisdiction of the Harbour Board extends, is a matter for the consideration of the Acts under which the Harbour Board is constituted?—Yes.

14212. But it is perfectly clear, is it not, under whose authority the port health work is placed? It is definitely placed under the Minister by several Acts of Parliament, is it not?—Yes, by the Crown. I think it is under the Public Health Act.

14213. It is placed under the Minister both by the Public Health Act and the Harbour Board Act. Now, can you advance any reason why a matter, which is of general interest and concern to the whole Colony, and which ought to be carried on on certain definite lines at the different ports in the Colony alike, and one which involves international relationships with other States, should be taken from the hands of the central government and placed in the hands of, and carried on by, a local authority, simply because a portion of the seaboard of that local authority happens to adjoin the port?—In the first place, the Cape is in much more direct communication with foreign seaports than any other port in South Africa.

14214. With what ports is it in most direct communication?—Being the first port of call.

14215. Is it the first port of call from India, which is the home of plague and cholera?—It is the first port of call for a very large number of ships that come to South Africa, and it is in direct communication with those ports.

14216. Is that the reason why you consider that the sanitary work, &c., should be carried on by the Cape Town Corporation?—I think you will find that there are precedents in England for a similar state of things, where you will see that the port authorities should be under the control of the Municipal authorities. I think the Port of London is an instance where the port authorities are under the control of the Municipal authority. (*Mr. Finch*:) The Corporation of London are the Health authority for the Port of London and they exercise control over the river from Teddington Lock seawards.

14217. But it is the Port Authority that has special powers and has to carry out special instructions of the Local Government Board?—The Municipal Board. But the port authorities in London are under the control of the Municipal authorities; the port authorities of London, as a matter of fact, are the Corporation; there is no dual control.

14218. Take for instance the Tyne Port; is that under the Corporation of Newcastle?—I think you will find that the local authority have control.

14219. There is a body called the Port Authority which has to work under

regulations and instructions of the Government Board?—There are of course regulations for them to carry out, but the health of the port is under the Municipality.

14220. I am speaking about the question of communicating diseases through the port?—(*Mr. Finch :*) I think it would suffice to say that a communication has been addressed to the Commission covering a report from the City Medical Officer of Health by direction of the Council.

14221. *Chairman.*] It is scarcely within the scope of the Commission to go into details of this kind as I do not think we are called upon to make any recommendation in that direction?—(*Mr. Finch :*) The scope of the Commission, I take it, embraces sanitary matters and this is purely a matter of sanitation.

14222. Yes, but you are now going into the question of quarantine, and the Public General law of the country deals with that?—(No answer).

14223. *Dr. Gregory.*] With regard to the report of Dr. Simpson's lecture in the Mayor's Minute, which you have just quoted, Mr. Thorne, the mortality amongst the rats occurred on the South Arm, and that was entirely under the control of the Military authorities, was it not?—Yes.

14224. And this mortality was first noticed by the Military authorities?—I don't know whether it was the Military authorities or the Dock employees.

14225. It was not reported by the Military authorities?—Well, if you say so, I take that as correct.

14226. *Chairman.*] Is there any information with reference to the alterations of your boundary that you would like to bring before the Commission? Take, for instance, the area of Camps Bay, are you of opinion that it should be included within the limits of the city boundary?—Yes, for this reason, that the boundary of the Cape Town Municipality, at the present time, extends through about half of it, and the other half of it, strange to say, belongs to Woodstock for electoral purposes. That is to say, the part called Papendorp.

14227. But it has nothing to do with Woodstock for Municipal purposes?—No, but, I think, that is a good argument why we should have it annexed.

14228. You are opposed also to the creation of another Municipality in this area, I presume?—I think it would be an injurious thing ; one Municipality would be able to work it much more economically.

14229. Do you see any difficulty in meeting the views of the proprietors in that neighbourhood, with reference to preserving that area as a residential one of a better class?—We should be very glad to support them in that. In fact, we are acting on the same principle with regard to the Orangezicht Estate, where we have agreed to support them so far, that when the land is purchased only a certain character of building should be allowed to be erected. This action by the Council strengthens the position of the owners of the property. I may say that we have adopted that suggestion in the new Bill that we intend to bring before Parliament at its next meeting, in which we ask that the Cape Town Municipal boundary should be extended to Camps Bay, taking in a portion of the land there.

14230. But now, for continuing the select character of the building in such a neighbourhood as that, the initial steps must be taken by the proprietors themselves?—The owners of the ground make the conditions when the land is purchased.

14231. And it would then be for the Municipal authorities to see to the safeguarding of those conditions?—Yes, they would have to see that a uniform method is kept up.

14232. *Mr. Gurney.*] We have heard the complaint that the committee work on your Council is very laborious and that the tax on the members of the Council is very severe, and so forth. Is it partly the case that these committees have their work increased by the terms of the legislation, that is to say, that by amended legislation a number of these committee meetings could be avoided?—No, I don't think so.

14233. Are not some of these meetings held in order to comply with the Act rather than to get specific work done?—Not at all. The committee meetings have increased in order to comply with the increased work. For instance, the Cape Town Municipality, within the last few years, have adopted a system of cleaning, making and repairing their streets ; they have extended their water system in a very great measure; they have also taken over the Electric Lighting Works ; and this constitutes a lot of work apart from the general sanitary work. In addition to this, however, they have appointed a new office for the sanitary department which is placed under the head of their chief medical adviser. They have adopted the same thing in the water department. They have now a special hydraulic engineer in a separate department and the same thing applies all the way round to the electricity department. The general work, of course, falls upon the chief body of officials and the Council do not interfere with them in any possible manner. Their work and their responsibility have accordingly immensely increased.

14234. And one would have thought that that would tend ultimately to reduce committee work rather than to increase it?—Oh no, it would rather increase the committee work, especially bearing in mind that we have no increased number of Councillors for the very much larger area of the town.

14235. So that your experience does not point in the direction of any of these meetings being unnecessary, but quite the reverse?—I think, they are absolutely necessary and I think the number of members of the Council ought to be increased, in some such form as they have in England, that is to say, by having additional members as Aldermen. In fact, even in this country, there are very much larger proportions of Councillors in Municipalities, than Cape Town has in proportion to its area or inhabitants.

14236. *Chairman.*] What is your view with reference to the reintroduction of the Ward system in Cape Town?—Well, the Ward system did not work very well in the past.

14237. It is proposed by the new Bill to take permissive powers to introduce the Ward system?—Of course, it is a matter that has been brought up under discussion in the Town Council. I may mention that in Natal they have the Ward system and now they are endeavouring to have it withdrawn. I think, the Ward system might be effected in this way: that they might have Aldermen; that is to say, one man as a nominee for each Ward, so that, in that way, they will have six additional members, who would directly represent the different Wards, the same as they have in certain boroughs or towns in England. Of course, that would necessitate an adjustment of the Municipal Bill which would have to be entirely altered. It might also be stipulated that these Aldermen should reside in the Wards that they represent. But, to divide the whole town into separate Wards, I am inclined to think that it would not work very well, because you would not have that broadmindedness that you have at the present time, when the town is represented as a whole by 18 Councillors, and, of course, the additional Aldermen would have the same duties to perform as ordinary Councillors.

14238. Under the present system of electing Town Councillors, is it your opinion that all classes in the community are fairly represented?—I do think so. If they choose to make an effort they could all be fairly represented.

14239. But what is the general effect of its working, as we see it at work?—I think as it is they are fairly well represented; take the members of the Council. You will see that you have a fair number of the various classes amongst them.

14240. Do you think there is a fair proportion of what would be called the working man's representatives on the Council?—I think so.

14241. With regard to the hours for keeping the poll open, are there any provisions in the new Bill for extending them?—Some time ago they were extended from 5 o'clock to 6 o'clock.

14242. Representations have been made to us that within these hours artisans cannot attend the polling, except at a pecuniary loss to themselves. Now, would there be any objection to extending the hours to 8 o'clock?—There would be no objection that I can see. It would only throw extra work on the officials. But if it would meet the desires of the ratepayers, I do not think there would be any objection.

14243. As far as the constitution of the Council is concerned, you are in favour of increasing the number of representatives and to some extent of a re-introduction of the Ward system?—Only, of course, for the increased number of members, that is to say, there should be six men representing the Ward system and 18 men representing the Council for the whole Municipality.

14244. *Dr. Gregory.*] If there were any combination with the other Municipalities, then it would be necessary to bring in the Ward system completely, would it not?— Yes, and the matter would require revision as to how the money in such districts would have to be expended. We had that in vogue in the earlier stages in the old Liesbeek Municipality, but the various different Wards did not see how it could be worked and that led to the Liesbeek Municipality being dissolved and broken up into the present three or four Municipalities.

14245. Your strong reasons for objecting to the formation of another separate Municipality at Camps Bay would apply equally, would they not, to the doing away with some of existing Municipalities?—I think the present number of the existing Municipalities might be materially reduced, making one Municipality of the suburbs and, if it were the desire of the inhabitants that those Municipalities should be absorbed by Cape Town, we would meet them and give them equal treatment with our present residents. But we have no special desire to absorb them, I certainly think, however, that the suburban Municipalities should be the same again as the old Liesbeek Municipality was.

14246. *Chairman.*] They should coalesce?—Yes.

CAPE OF GOOD HOPE.

REPORT

OF A

COMMISSION

Appointed to Enquire into and Report upon Certain Matters affecting Cape Peninsula Municipalities and the Cape Divisional Council;

TOGETHER WITH

PROCEEDINGS, MINUTES OF EVIDENCE AND APPENDICES.

Volume III.

Presented to both Houses of Parliament by Command of His Excellency the Governor.

1903.

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1903.

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Cape Peninsula Commission.

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CAPE OF GOOD HOPE.

MINORITY REPORT of Dr. Gregory, to which reference is made on Page 74 of the Report of the Commission.

Presented to both Houses of Parliament by Command of His Excellency the Governor.

1903.

Office of the Cape Peninsula Commission,
Hofmeyr Chambers,
Cape Town, 24th February, 1903.

SIR,

I have the honour, by direction, to transmit herewith, for favour of presentation to His Excellency the Governor, the Minority Report of Dr. Gregory, to which reference is made on page 74 of the Report of the Commission.

In doing so, I am to say that the Commissioners resolved that Dr. Gregory's Minority Report should be forwarded to His Excellency through the Chairman, in order that an opportunity might be afforded him of attaching to it any replication deemed by him to be needed.

Having now carefully considered the Report herewith transmitted, the Chairman finds:—

First.—Paragraphs 1 to 42 contain a reiteration of criticisms of certain portions of the Report of the Commission which were brought forward when the Commission was in session and which were carefully weighed at the time without, however, affecting the conclusions of the Commissioners.

Second.—In opposition to the recommendation of the Commissioners that the eight Metropolitan Municipalities should be unified, the Minority Report recommends that those eight Municipalities should be combined so as to form three Municipalities. By a reference to Paragraph 72 of the Commissioners' Report, it will be seen that this recommendation of the Minority Report was duly considered, but was rejected by the Commissioners.

Third.—The one new feature in the Minority Report is the recommendation in favour of the bilateral partition of the Woodstock area. But as this recommendation seems to Dr. Gregory himself to be of doubtful utility, the Chairman does not consider it necessary to comment upon it at length.

I have the honour to be,

Sir,

Your obedient Servant,

MARK GARRETT,
Secretary.

To the Under Colonial Secretary.

[G. 21—1902.]

MINORITY REPORT.

To His Excellency the Honourable Sir Walter Francis Hely-Hutchinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of His Majesty's Colony of the Cape of Good Hope, and of the Territories and Dependencies thereof, etc., etc.

May it please Your Excellency,—

1. It is with much regret and with a feeling of great diffidence that I find myself in the position of having to make a Minority Report on certain of the matters referred to your Commissioners for enquiry under the Commission issued to them on the 14th March, 1902. I experience regret because, after the long period of close and pleasant work with my colleagues which the Commission has entailed, it is disappointing to conclude its labours in partial disagreement. I am diffident because I cannot fail to attach very great weight to the judgment of my colleagues, all of whom have brought to a consideration of the subject special knowledge and a large experience of its various branches.

Yet, while fully appreciating the gravity of disagreeing, I recognise the more strongly the duty that is laid upon me of resolutely expressing the opinions I have formed only after most careful consideration and upon what I believe to be the most solid foundations.

OBJECTIONS TO PROPOSED AMALGAMATION OF SOUTHERN SUBURBAN MUNICIPALITIES WITH CAPE TOWN.

A monster Municipality from Sea Point to Wynberg inadvisable.

2. Although I am in entire accord with many of the findings and recommendations of my colleagues, as set forth in their Report to Your Excellency, I am quite unable to concur in their most material recommendation of the creation of one monster Municipality stretching from Sea Point to Wynberg, and amalgamating with the City of Cape Town the Suburban Municipalities of Sea Point, Woodstock, Maitland, Mowbray, Rondebosch, Claremont and Wynberg.

Amalgamation of Southern Suburban Municipalities urgently necessary.

3. I certainly concur with them in the opinion that at the present time the Southern Suburban Municipalities are in a most unsatisfactory condition. Disunited and without uniformity in their municipal action; owing to deficient means and machinery compelled to carry out imperfectly, or to entirely neglect, many most important municipal concerns; having an inadequate water supply and being without any proper system of sewerage, they are, in varying degrees, lacking in most of the essentials of good Municipal Government. This state of things cannot be attributed to any carelessness or neglect on the part of those responsible for the administration. It is the natural outcome of the system under which that administration has to be carried on. However much the existence of a number of separate Municipal Councils may in the past have been successful in caring for local interests,—and I am not prepared to say that under all the circumstances they did not in the early days of the development of these areas afford the best means to this end—it is certain that the time has long arrived when their complete amalgamation into one strong municipal body should have taken place.

But Cape Town in no need of either amalgamation or reconstruction.

4. But while on these grounds the necessity for this amalgamation is clear, it by no means follows that it is necessary that such amalgamation should include within its scope the City of Cape Town. On the contrary,

the Municipality of Cape Town, whatever may have been its shortcomings in the past, is not at the present time carrying out its work in such a manner as to call for its reconstruction or to warrant its supersession. Far from this being the case its present development affords every promise that the future will witness the attainment by the City of the highest standard of municipal efficiency.

Apparent lack of economy in Cape Town administration.

5. But in one respect, the important one of economy, its administration would appear to have been somewhat wanting, if we are to judge from the Accounts of Revenue and Expenditure furnished to your Commissioners and printed in the Appendices "A" and "L" attached to the Report of my colleagues.

No support to the view that its amalgamation would effect economy in Suburban administration.

6. As some stress has been laid upon the increased economy that it is supposed would result from an amalgamation that would include Cape Town, it may not be out of place to here indicate briefly some considerations which suggest themselves from an examination of these Municipal Accounts.

In five years ordinary expenditure increased over 56 per cent.

7. In the five years, 1897 to 1901, a period during which a great expansion of the City finances has taken place, the annual expenditure on Ordinary General Works—excluding all expenditure for Sinking Funds and Interest on Loans, Water and Electric Lighting works and Drainage Construction—has steadily increased from £89,407, in the year 1897, to £139,926, in 1901, or an increase at the rate of over 56 per cent. in the five years. It is difficult, owing to the form in which the Accounts are presented, to ascertain to what degree the different heads of Expenditure, and especially purely Establishment Charges, have increased during this period; and, for the same reason, it is not possible to apply the test which suggests itself, of instituting a comparison between the proportion which Establishment Charges bear to the General Revenue in the cases of Cape Town and of each of the Suburban Municipalities, respectively; but, in my opinion, there are good grounds for believing that, taking the total expenditure on the six separate Establishments of the six Suburban Municipalities of Sea Point, Woodstock, Mowbray, Rondebosch, Claremont and Wynberg, the *proportion* which the Establishment Charges bears to the total revenue of these Suburban Municipalities is very little, if any, greater than that which obtains in the case of Cape Town with its single administration administering a Revenue several times larger than the combined Revenues of these Municipalities.

Comparison with Suburban Municipal Expenditure.

Increase appears to be general.

8. While, however, it is not possible, from the available abstracts of Accounts, to particularise the services in which increase has chiefly taken place, it would appear that increase has occurred more or less generally under all the main heads of Ordinary Municipal Expenditure.

Expenditure on City Markets.

There is, however, one head of Expenditure, namely, that on Markets, which, by reason of its determinate character, permits of an accurate examination being made. The following Table shews the Receipts and Expenditure on Markets during each of the five years 1897 to 1901, from which it will be observed that, while during this period the Receipts from Markets have increased from £3,953 to £7,517, or by only 90·1 per cent., the Expenditure in connection with Markets during the same period of years has increased from £1,740 to £4,362, or by as much as 150·7 per cent. And it will further be noted that the ratio of Expenditure to Receipts has during this period steadily risen, from 44·02 per cent., in 1897 to 41·23 per cent., in 1898; 51·88 per cent., in 1899; 63·45 per cent., in 1900 and 58·03 per cent., in 1901. This expenditure on Markets, at any rate that for 1901, contains no item for any extension of buildings, the whole of the amount, £4,362, being for purely working expenses.*

* The estimated expenditure on Markets for 1902 was £9,600, none of the receipts in this year being carried to the general revenue, but on the contrary, £270 was estimated to be required from the general rates.

I. Table shewing the receipts from, and Expenditure on Markets in the Cape Town Municipality, during each of the years 1897 *to* 1901.

	1897.	1898.	1899.	1900.	1901.	Percentage ratio of increase during five years.
Receipts	3,953	4,480	4,782	7,119	7,517	90·1
Expenditure	1,740	1,847	2,481	4,517	4,362	150·7
Ratio of Expenditure to Receipts	44·02	41·23	51·88	63·45	58·03	..

Expenditure on Waterworks Account.

9. An idea of the growth and of the cost of administration is furnished by an examination of the City Waterworks Account and the Electric Lighting Works Account, in both of which the Expenses of Management and Working Expenses are shewn.

The following Table prepared from the accounts furnished by the Council shews, *inter alia*, in respect of the Waterworks, the amount expended on Management and the cost of Working during each of the five years 1897 to 1901. It will be seen that, while the Working Expenses have, with slight variations, remained fairly steady throughout the period,—a reduction even having taken place in the year 1901,—the Expenses of Management have steadily increased year by year, from £2,460 in 1897 to £4,781 in 1901, or an increase of 94·35 per cent. As to the Receipts during this period, these shew very little variation for the first three years 1897, 1898 and 1899, but during the two final years of the period 1900 and 1901, the Receipts practically more than doubled themselves; this increase, however, being a purely fortuitous one, resulting from the very large sales during the war of Water in bulk to the Military Authorities and to Transports in the Bay. (Question 14,073. Mr. James Wyllie, Member of the Cape Town Waterworks Committee. "I think that almost the whole increase" (in the Waterworks Revenue) "is due to the Military operations").

II. Table shewing the Receipts from, and the Expenses of Management and the Working Expenses of the Waterworks of the Cape Town Municipality, during each of the years 1897 *to* 1901.

	1897.	1898.	1899.	1900.	1901.	Percentage ratio of increase during five years.
Receipts	28,782	28,474	29,087	59,631	64,735	124·91
Expenses of Management ..	2,460	2,379	2,860	4,315	4,781	94·35
Ratio per cent. to Receipts	8·55	8·35	9·83	7·24	7·39	..
Working Expenses ..	4,187	4,761	5,815	5,302	3,893	Decreased.
Ratio per cent. to Receipts	14·55	16·72	19·99	8·90	6·01	..

Expenditure on City Electric Lighting Account.

10. In the case of the Electric Lighting Works the same remarkable increase appears to have taken place. In this Account the Expenses of Management and the Working Expenses are not shewn separately for a period further back than for the three years, 1899 to 1901. The figures

which are given in the following Table indicate that, while the total Receipts during the three years in question only increased by 51·00 per cent., the Working Expenses increased during the same period by 133·86 per cent., and the Expenses of Management by 108·79 per cent. In other words, the ratio of Expenses of Management to Receipts increased from 8·9 per cent. in 1899 to 12·3 per cent. in 1901, and the ratio of Working Expenses to Receipts from 28·8 per cent. to 44·7 per cent.

On this subject of Waterworks and Electric Lighting Works Expenditure, reference may be made to the evidence given by Mr. Thorne under questions 13746-62 and 13839-45, and by Mr. Wyllie under questions 14192-14195.

III. *Table shewing the Receipts from, and the Expenses of Management and Working Expenses of, the Electric Lighting Works of the Cape Town Municipality, during each of the years* 1899 to 1901.

	1899.	1900.	1901.	Percentage ratio of increase during three years.
Receipts..	22,038	28,618	33,278	51·00
Expenses of Management ..	1,968	3,022	4,109	108·79
Ratio per cent. to Receipts ..	8·93	10·56	12·35	
Working Expenses	6,359	10,262	14,871	133·86
Ratio per cent. to Receipts ..	28·85	35·86	44·69	

Increase in amount of rates levied per head of population.

11. It would appear from these figures that the expansion of Municipal business has not resulted, as it might have been expected to have done, in increased economy of administration. Similarly it does not seem that any diminution has taken place in the proportionate amount of Rates which the Community has to provide. It is true that the actual Rate assessed fell from 4d. in the £, in 1897, to $3\frac{1}{2}$d. in the £, in 1901, and still lower to $2\frac{3}{4}$d. in the £, in 1902, but during this period of six years the Rateable Value of the City has been much more than doubled, having increased from £5,066,420 to £12,272,190, or by 142·2 per cent., these figures giving a rateable value per head of the population of £191 in 1902, as against only £90 in 1897, which, on the Rates assessed, represent an annual charge per head of the population of forty shillings in 1902 as against thirty shillings in 1897.*

Cape Town Council competent to secure economy without amalgamation.

12. But the matter of ensuring economy in the administration of City affairs is one with which the Cape Town Municipal Council is quite competent to deal and may, I think, be left to deal; but were this not the case, this alone would scarcely appear to afford sufficient grounds for amalgamating the Suburban Municipalities with Cape Town.

Evidence tendered to Commission generally adverse to amalgamation of Cape Town with Suburbs.

13. And, indeed, it appears to be the feeling of the public at large that grounds do not exist for such an amalgamation, for if we turn to the evidence on the subject tendered to the Commission, it will be seen that almost without exception, every witness whose opinion on the subject your Commissioners had an opportunity of hearing, was—whatever other views on amalgamation were held—decidedly opposed to any amalgamation which included within its scope the uniting of Cape Town with the Southern Suburban Munici-

(*) Although some of this increase in rateable value is due to the erection of new buildings, yet a very large amount results from the general increase in the valuation of property. The rateable value for the year 1903 is £13,176,,000, or an increase during the year of close on one million. It is probable that the rate for the year 1903 will remain the same as that of 1902.

palities. It is impossible not to attach the greatest weight to the testimony of these witnesses, including as they do among their number gentlemen so eminently qualified by their capacity and by their long Municipal or other Administrative experience, to express reliable opinions on the subject, as Mr. W. P. Schreiner (Questions 12793—12820), Mr. W. Thorne (Questions 14245—6), Mr. Thomas Ball (Questions 12138, 12255—12276). Mr. W. E. Moore (Questions 5856, 5301, 5794, 5795), Mr. J. Wyllie (Questions 14040-14050), Mr. George Smart (Questions 12396 to 12445), Mr. W. Westhofen (Questions 7996, 7992, 8000), Mr. S. Tonkin (Questions 1611-1653), Mr. A. B. Reid (Questions 1661-2-3), Mr. G. W. Tearnan (Question 1658), Mr. T. A. J. Louw (Questions 1896, 1941), Mr. H. Donnan (Question 2843), Mr. H. Beard (Questions 10104, 10112), Mr. T. Vollmer (Questions 7644-46), Mr. W. Runciman (Question 5566), Mr. John Andrews (Questions 8976-94), and Mr. J. L. M. Brown (Questions 13580-90), who one and all deprecated the idea of the formation of one huge Municipality, including Cape Town. It must, however, be added that several of these witnesses ultimately stated, after undergoing a somewhat insistent cross-examination, that such an amalgamation might work if the safeguards, suggested to them while under examination, could be effectually supplied.

In view of this feeling it is desirable to enquire whether amalgamation would not mean absorption by Cape Town.

14. In view of this manifest disinclination on the part of so many to any amalgamation that will result in the general fusion of the Suburban Municipalities in the Cape Town Municipality, it appears desirable to enquire whether a "Unified Municipality" from Sea Point to Wynberg would not in actual practice mean the absorption of the Southern Suburban Municipalities into the Cape Town Municipality.

Cape Town will be the dominant partner.

15. It will, of course, be contended by its advocates that in such a unified Municipality the Cape Town Municipality, *qua* Cape Town, will disappear equally as the smaller Suburban Municipalities will be abolished. On paper this may appear to be the result to be expected, but in actual practice Cape Town must be and will remain the dominant partner. And, indeed, the ratepayers of the City would hardly be likely to consent to anything else. Certainly, if the evidence of Mr. Councillor Ball may be accepted as representing the views of the Cape Town Council, that body is not likely to concur in any such effacement. Thus we have in Question 12255 :—

Evidence of Mr Councillor Ball.

> "With regard to what you speak of as an amalgamation, Mr. Ball, "do you mean, really, an amalgamation of the Suburban Municipalities "with the Cape Town Municipality, or do you mean the constitution "of a reorganised body for the whole local area of the Peninsula?"
>
> "I mean amalgamation with the Cape Town Council."
>
> 12256.—"You mean the Cape Town Municipality to remain, "practically as it is, with such additional powers given to it as would "enable it to absorb all the others?"
>
> "Oh, yes, with additional members and additional powers." (*)

Amalgamation with Cape Town is, in effect, absorption.

16. That amalgamation with Cape Town must in effect mean absorption by Cape Town is borne out by a comparison between Cape Town and the Suburban Municipalities. Taking the united populations of Cape Town, Sea Point, Woodstock, Maitland, Mowbray, Rondebosch, Claremont and Wynberg, Cape Town possesses 45·5 per cent. of the entire population, excluding from the Cape Town figures 11,371 persons belonging, at the time of the Census in July, 1902, to the Military and Shipping. Again, out of the total rateable value, Cape Town claims 58·5 per cent., and of the total ordinary Municipal Revenue 70·1 per cent. While as to its share of Municipal Assets, although these cannot be easily appraised, there is no doubt whatever as to the huge preponderance of those of Cape Town.

Preponderance of Cape Town in all respects.

(*) See also replies to questions 12267-12270.

Preponderance of Cape Town voters.

Also, if a comparison of the number of municipal voters be made, the same predominance of Cape Town is displayed. Thus, as will be seen from the subjoined Table, while Cape Town possesses according to the figures kindly furnished to me by the officials of the Town House, 11,167 voters, the seven Suburban Municipalities have only an aggregate of 10,559. As, however, the minimum property qualification entitling to a vote, in Cape Town is only £100, whereas in the Suburban Municipalities, constituted under the Act No. 45 of 1882, the minimum qualification is £166 13s. 8d., it is necessary for comparison to correct the number of voters in the Suburbs by adding to it the number of persons who would be entitled to a vote, were the property qualification reduced to the Cape Town limit. These are found to number 1,667, which would, for purposes of the comparison, bring the number of voters in the Suburbs up to 12,226. But even on these figures Cape Town would possess 47·7 per cent. of the entire voting power of the combined area.

IV.—*Table shewing the number of Registered Voters in Cape Town and the Peninsula Municipalities.*

Name of Municipality.	Owners.	Occupiers.	Total on Voters' Roll.	Number of Properties which would entitle the Owner or Occupier to vote if the qualification were reduced to a minimum of £100.
Cape Town	..	..	11,167	..
Sea Point	269	799	1,383	158
Maitland	54	245	411	142
Woodstock	231	2,967	4,157	80
Mowbray	270	471	1,056	24
Rondebosch	88	383	782	226
Claremont	234	853	1,623	530
Wynberg	249	677	1,147	507
Total	1,395	6,395	10,559	1,667
Grand Total ..	..	..	21,726	..

Cape Town.—District 1 ..	1,295		
,, 2 ..	1,134		
,, 3 ..	1,022		
,, 4 ..	2,679		
,, 5 ..	1,217		
,, 6 ..	3,820		
	Total ..	11,167.	

Note.—The minimum property qualification entitling to vote is, under the Cape Town Municipal Act, property of the value of £100. Under the Municipal Act of 1882, property of the annual value of £10, the capital value of which is calculated on a 6 per cent. basis, and, therefore, equals £166 13s. 4d.

And working majority on Council of combined Municipality.

It would result, therefore, that if Cape Town is to receive the representation on the Council of the Combined Municipality to which she would be justly entitled, she would have for all practical purposes a working majority in the Council. And it must not be forgotten that in the above comparison Green and Sea Point on the one side has been lumped with the Southern Suburbs on the other, with which she has few or no municipal interests in common.

17. Coupled with this predominance on the Council, Cape Town would be the centre of the municipal administration; its Town Hall the seat of the Council to which the Suburban representatives would have to come; its existing institutions would be continued; its existing administrative machinery would be extended to, and its municipal staff would exercise its functions over and throughout the areas of the Surburban Municipalities, regulating its work by the traditions, precedents and rules now observed by it in Cape Town. Also, the very name of Cape Town would, I presume, be continued in the title of the new Municipality; for I cannot conceive that this historic name, known throughout the World as the Capital of the Colony and carrying with it an established reputation, could wisely be discarded, even if the popular sentiment of the Colony permitted of it.

Other reasons why Cape Town would rule.

18. If these objections to an amalgamation with Cape Town are to be over-ruled, it should be necessary to shew that some decided benefit would result therefrom, either to Cape Town or to the Southern Suburban Municipalities. Yet from the proposed amalgamated Municipality it is difficult to see what advantage can accrue either to Cape Town on the one hand or to the Southern Suburban Municipalities on the other. As far as Cape Town is concerned, the evidence tendered to your Commissioners has been practically unanimous, that Cape Town would and could receive no benefit whatever, while as to any benefits to be gained by the Southern Suburban Municipalities, no advantages appear to me to have been suggested which could not better be obtained by a combination into a strong Suburban Corporation.

Only great public benefit could override these objections to amalgamations with Cape Town.

19. It is true that several hypothetical advantages have been claimed for the amalgamation, but, in my opinion, without sufficient grounds. Thus, it is hoped that greater economy would result, but there is nothing to support this hope. Again, increased efficiency is expected, but as will be shewn later the reverse of this would more likely follow. One witness, in evidence, stated that it would enable the Suburban Municipalities to profit by the advice of Cape Town. But perhaps the advantage most often claimed for it, is that, by union with Cape Town, the credit of the Suburban Municipalities will be so improved that it will be possible to borrow the money needed for carrying out the large public works which they require, on more advantageous terms than if the Southern Municipalities stood by themselves. I am, however, inclined to doubt the truth of this view. I think that a properly constituted, amalgamated Suburban Municipality will not be long before its credit will quite equal that of Cape Town. But even should this not immediately prove to be the case, the difference in the annual charge upon the Loan Account of such a Suburban Municipality would be small compared with its resources, and, therefore, the argument founded on it may, I think, be neglected.

The advantages claimed are slight.

20. If, however, there appear to be no adequate advantages to be derived on either side from an amalgamation with Cape Town, there are, in my opinion, several very important and decided drawbacks. The chief grounds for this opinion may be dealt with under three heads, namely, the Magnitude of the area and its unwieldly character, the Great difference and divergence in the Suburban and City Municipal activities and interests, and the Complexity of the financial and other adjustments rendered imperative under the proposal of one unified Municipality.

The drawbacks important.

21. In my opinion, one of the gravest of the difficulties of such an amalgamation is the large and unwieldy area that would result. This difficulty was indicated in evidence (Questions 1661 and 7996).

The size of the resulting area much too great for economical and efficient administration.

It is clear that combination, however sound in principle, can only be successful up to a certain point, otherwise government by Central Authority

would always be best and Local Self-government would have no justification. In the proposed amalgamation that point would be passed, and the physical and administrative difficulties would be such that efficiency and economy must suffer.

Comparison with Municipalities in England.

22. I think I am right in saying that in England a decided opinion is gaining ground that very large Local Bodies are in many respects not so satisfactory as was at first imagined to be the case, yet if we compare the area of the proposed Municipality with that of some of the largest and best known Municipalities in England, it will be at once seen that the area of the proposed Municipality, amounting as it would to 21,726 acres, is larger than any of these, and, in most cases, exceeds them by some three or four times; and in instituting this comparison the infinitely greater difficulties of administration that have to be contended with in this Colony must not be overlooked. I subjoin a Table, giving some particulars of the size of other well-known Municipalities, from which will be observed how great is the excess. It will be noted that only in the case of Leeds, with an area of 21,572 acres, and Sheffield of 19,651 acres, do we find anything approaching the area of the proposed Municipality. It will be seen that Birmingham has an acreage of only 12,705; Liverpool, 13,236; Glasgow, 12,311, and Manchester, 12,911, and after these have been mentioned practically all of the more important English Municipalities do not average more than four to six thousand acres, many of them being considerably less. In London, the bulk of the Municipal work is carried on by even much smaller Local Bodies, such, for example, as Battersea, 2,169 acres; Bermondsey, 627 acres; Hampstead, 2,248 acres; Hornsey, 2,809 acres; Kensington, 2,188 acres; Poplar, 2,333 acres; Rotherhithe, 754 acres; Shoreditch, 648 acres; Westminster, 813 acres; Whitechapel, 357 acres, and Woolwich, 1,126 acres.

Australia.

Also in Australia, the two largest Municipalities, those of Sydney and Melbourne, have areas of only 2,880 acres and 6,000 acres respectfully.

V. Table shewing the areas of some of the larger and best known Municipalities in England and Australia, compiled from the best available sources.

Town.	Acreage.	Population.
Leeds	21,572	402,449
Sheffield	19,651	347,278
Liverpool	13,236	644,129
Manchester ..	12,911	534,300
Birmingham ...	12,705	501,241
Glasgow	12,311	715,579
Huddersfield ...	11,852	100,500
Bristol	11,417	318,042
Hull	11,256	225,054
Cardiff	8,408	160,690
Blackburn	6,974	130,000
Edinburgh	6,166	292,364
Newcastle	5,371	212,223
Southampton ...	5,295	100,000
Salford	5,175	210,800
Oldham	4,730	146,000
Birkenhead... ...	3,849	110,631
Dublin	3,808	245,000
York	3,692	72,083
Blackpool	3,496	40,—100,000
Brighton	2,620	120,500
Bolton	2,361	121,433
London Local Authorities.		
Hornsey	2,809	
Poplar	2,333	
Hampstead . .	2,248	
Kensington ...	2,188	
Battersea ...	2,169	
Woolwich ..	1,126	
Westminster ..	813	
Rotherhithe ..	754	
Shoreditch ...	648	
Bermondsey ...	627	
Whitechapel ...	357	

Melbourne, Victoria.—6,000 acres, population 68,853.

Sydney, New South Wales.—2,880 acres.

Comparison with Municipality of Johannesburg.

23. It is possible that the case of the Municipality of Johannesburg may be cited as an exception to this rule, its jurisdiction having recently been greatly extended by the inclusion of a large portion of the Mining area, so as to cover some 50,000 acres. No comparison, however, can justly be made between Johannesburg and the Peninsula, the circumstances being totally different in the two cases. It is unnecessary here to enter into a discussion of the special and peculiar conditions surrounding Johannesburg that

have led to this extension of boundaries, but it may be mentioned that the main object of the inclusion of this large area, none of which has already been municipalised and the bulk of which is in no sense Urban in character, is to bring under some controlling authority the sanitation of the Mines and their Compounds. Moreover, a fact of the greatest importance is, that practically the whole area is contained within a five-mile radius from the centre of the Municipality, none of it being beyond six and a half miles.

But even the proposed area is not finite. Many additional areas will require to be taken in.

24. The magnitude of the area of the proposed Municipality would be sufficiently serious if its extent were finite, but far from this being so it will be necessary to include, almost immediately, several adjoining areas which urgently require to be brought under Municipal control. Some of these areas already carry considerable populations. They will, of necessity, lie at the extreme limits of the new Municipality, and, having commenced their growth without any sanitary control, will, for some time to come, require close local attention in order to remedy defects and bring their areas under proper organisation, an attention which it will obviously be difficult for the distant administration in Cape Town to exercise.

"West London."

Thus, for example, adjoining Rondebosch and Claremont, there is a large area including the two localities known as "West London" or "Rondebosch Extension" and "Kromboom's Estate," and covering some 2,000 or more acres, and carrying a population of between three and four thousand persons. Steps are already at the present time being taken by the Government for the inclusion of this area within the Municipal boundaries of Rondebosch and Claremont. Again, there are considerable areas about to be brought within the limits of the Municipality of Maitland, chief of which is the locality known as Yzerplaats, where a considerable population has collected. Also the inclusion of Camps Bay will bring with it another additional area of 2,000 acres; while in the direction beyond Wynberg, namely, at Diep River and Constantia, other considerable areas will before long be coming under Municipal control, so that even at the present moment there are in sight additions of between five and six thousand acres to the already excessive extent of the area which would form the proposed Municipality.

Camps Bay.

Not only the acreage, but the great extent of the proposed Municipality to be considered.

25. It is, however, not alone the mere question of acreage that must be considered, but also the range and shape of the area must be borne in mind; and if this be done, the utter impracticability will at once be recognised, of any attempt to efficiently administer from Cape Town an area which already extends for fourteen miles, from the limits of Sea Point to those of Wynberg. Such an extensive jurisdiction would be sufficiently difficult with the seat of administration placed at its centre, but, situated as is proposed in the projected Municipality, in Cape Town, a distance of at least ten miles from confines of Wynberg, efficient administration would become doubly impossible.

Difficulty owing to great divergence of Municipal activities and interests of Cape Town and Southern Suburbs.

26. Quite as important as the difficulties arising from the extensiveness of the area, are the difficulties dependent upon the great divergence in the principal municipal activities and interests of Cape Town, as compared with those of the Southern Suburban Municipalities. In Cape Town, the problems to be solved and the matters demanding chief consideration and large expenditure, are those pertaining to a City that has already travelled far on the road towards municipal completeness. Furthermore, it possesses the fundamental characteristic that much of its area is devoted to industrial, commercial and harbour undertakings, entailing special municipal activities. It thus happens that the administration of the City is fully occupied with matters of the utmost importance and involving the expenditure of large sums of money, but which are of no immediate municipal concern to the Southern Suburban Municipalities, nor are likely to become so for very long to come, if ever. Such, for example, as the improvement and paving of

streets and their adaptation to heavy traffic, the betterment of congested areas, the widening and reconstruction of existing thoroughfares, the construction of marine works, and the construction of an underground system of Stormwater Drainage.*

No important differences or distinctions between Southern Suburbs.

27. On the other hand, the Southern Suburban Municipalities, with the exception of a portion of Woodstock, mainly comprise residential and sparsely populated areas, and their requirements are those of communities young as yet in urban development. For some time to come their concern will be with the laying out of new roads and the curbing and guttering of others, with the improvement of public lighting, with the provision of fire brigades, public markets, wash-houses and isolation hospital accommodation, and with a number of other municipal undertakings that Cape Town has already got and paid for. But the most important of all matters, except that of an increased water supply, that must occupy the immediate attention of the Southern Suburban Municipalities, is a proper water-carriage system of sewerage. Yet this, which is of such vital concern to them, is of no direct interest to Cape Town, and can never become so, as Cape Town has already completed its own sewerage system, which it is stated in expert evidence is only designed to meet the present and future needs of Cape Town itself, and cannot be made to serve those of the southern suburbs. (Mr. H. P. B. Rigby, Questions 9243-9250, also Mr. James Wyllie, 14049-14050.)

Augmentation of water supply only common interest of Cape Town and Suburbs.

28. In one matter only, that of an increased supply of water, are the interests of Cape Town and the Suburban Municipalities identical, and yet it is in this very matter, as will presently be more particularly shown, that effective combination is only to be expected so long as it is confined to the carrying out of a scheme for merely bringing the water into the Peninsula.

Amalgamation with Cape Town would benefit neither Cape Town nor the Southern Suburban Municipalities.

29. With such widely different municipal interests and needs as these, it is difficult to see in what way a union such as that proposed is going to benefit either side; how the work of Cape Town can be in any way assisted by bringing to its Council representatives from Woodstock to Wynberg, or how the work from the Southern Suburban Municipalities will be in any respect better carried on in Cape Town by an administration that has already got its hands full with affairs of the utmost importance to the City.

Views of the Hon W. P. Schreiner.

On this matter I cannot do better than quote the words of the Honourable W. P. Schreiner, given in evidence to your Commissioners:—

> "I cannot conceive," he says, "that the busy Councillors of the "Corporation of Cape Town would be able to take very much practical "interest in working through a drainage scheme for that large area "outside Cape Town itself, seeing that it would be a wholly different "scheme, or at any rate nearly entirely unconnected with the system now "working in Cape Town. How are you going to work out sewerage and "drainage for the Suburbs *via* the Cape Town Corporation? Cape Town "has dealt with this problem certainly with very great zeal, particularly "in later years, but I do not see that by reason of that, the Suburban "System would be more likely to be more successful by the District being "included in the Cape Town Municipality. I do not see that the Cape "Town scheme involves any information or facilities in relation to "Suburban sewerage and drainage that you want somebody from the "Cape Town Corporation to deal with it." (Question 12, 788).

Of Mr. Councillor Ball.

31. Equally emphatic is the opinion of Mr. Councillor Ball, who gave evidence on behalf of the Cape Town Council before the Commission. He says, in reply to Question 12262:

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* Some idea of the extent of future expenditure on these matters may be gathered from the fact that the underground Stormwater Drainage will cost close upon half-a-million; that a first portion of the proposed betterment scheme for improving the approach and widening of St. John's Street, will entail an expenditure of over £55,000.

"I think that unless you can shew very good grounds why Cape "Town should be altered it would be inadvisable to do so. Has it not "done its work well? And has it not been competent to do it well? "What is the City to gain from amalgamation? I say we have "nothing to gain, and we are merely looking at the general benefit which "would accrue to the whole Peninsula."

(Question 12263). "You consider that Cape Town would not "benefit by amalgamation?" Answer. "Not in any way."

Question 12264. "And that you are really sacrificing yourselves "for the good of the Peninsula generally?" Answer. "That is my "candid opinion."

And others.

And the evidence of Mr. George Smart, late Mayor, and other witnesses is to the same effect.

The argument that inhabitants of Cape Town and Suburbs have a common interest in the City untenable.

32. Although the municipal interests are so divergent, much stress has been laid on the view that the inhabitants of the Suburbs, many of whom are workers in the City, have a common interest, indeed, their chief municipal interest, in Cape Town, and therefore should aid in the management and share in the responsibility of City affairs. But to this it may be pointed out that at present, under existing conditions, the fact of non-residence in the City does not disqualify a person from being a Municipal Elector therein, nor even preclude his becoming a Councillor and attaining the Mayoral Chair, provided he possesses in the City the legal property qualification; and it is, therefore, difficult to understand why a person, if he do not possess that qualification, should, merely because he lives in the Suburbs, be called in to aid in the management of the affairs of the City.

At present the residents in the Suburbs may vote in the City.

The resident in Suburbs working in the City has two separate and different interests.

33. As a matter of fact, the person resident in the Suburbs and working in the City does not have a "common interest" in both, but has a separate and different interest in each, and so far from the proposed Municipality in the aggregate increasing the means of protecting these dual interests, or widening in a just manner the direct control in Cape Town affairs, it should have the contrary effect; for, whereas at present those City Electors who live in the Suburbs are able to exercise their Vote, both in the City and in the Municipality in which they reside, thus protecting their separate and different interests in both places, they would, under the proposed Municipality, and on the principle of "one man one vote in one Ward," be limited to direct representation in one only of these places, that is, either in Cape Town or at his place of residence, as he will have to select. The extent to which this limitation may be expected to operate is indicated by an examination of the Municipal Voters Roll of Cape Town, from which it may be gathered that several thousand of the City voters in the more purely business districts of the City would have to make this selection. *

Can represent only one interest in the proposed amalgamated Cape Town and Suburban Municipality.

Creation of one solitary, all-powerful, unrestricted Municipal Corporation a possible danger.

34. Quite apart, however, from the question of the effect of the dissimilarity and divergence of municipal interests and activities on amalgamation, it may well be asked whether the creation of a solitary, colossal and all-powerful Municipal Corporation, untrammelled in its action by any of the restraining influences furnished in England by Government control, by overlapping Authorities and by the co-existence of many similar Municipal Corporations, is likely at all times to best serve the interests of the Com-

* According to the figures kindly furnished to me by the Town House, the number of Municipal Voters in each District of the City is as follows:—

District No. 1	1,295
Do. ,, 2	1,134
Do ,, 3	1,022
Do. ,, 4	2,679
Do. ,, 5	1,217
Do. ,, 6	3,820
Total	11,167

munity; whether the existence side by side in the Peninsula of two progressive Corporations would not in itself be of considerable advantage by affording in a wholesome degree, criticism, rivalry and restraint. * *

Differences between Cape Town and Suburbs so great that complex financial and other adjustments rendered necessary.

35. Another strong objection to an amalgamation that includes Cape Town is the difficulty of equalising differences which it introduces and the complexity of the financial adjustments that it necessitates.

As has already been indicated, and will presently be more clearly shewn, the Southern Suburban Municipalities of Woodstock, Mowbray, Rondebosch, Claremont and Wynberg, are practically all on an equal municipal footing, so that were they amalgamated they would come together as equal partners, and small differences that may exist would be capable of being either ignored or set off against one another, no financial adjustments being therefore necessary. Not so, however, with Cape Town, which in all municipal matters is so widely different from all of these Municipalities, taken separately or collectively, that its inclusion in any scheme of amalgamation at once introduces in a high degree the element of inequality and renders necessary the adoption of undesirable financial and other adjustments and safeguards, and their application to all members of the union alike.

Some of these adjustments indicated.

36. It is impossible here to enter in detail into all of the difficulties involved in these adjustments, but some of them may be briefly indicated.

The valuation of assets at time of amalgamation.

37. In the first place, it becomes necessary to provide for the valuation of the assets and the determination of the liabilities at the time of union of each of the uniting Municipalities. This is a matter fraught with very great difficulties, and in view of the immense disproportion of the assets of Cape Town as compared with those of the Suburban Municipalities, any element of unfairness in the valuation becomes of material importance.

As my colleagues have gone into it very fully in their Report, and as their recommendations, which, although the best possible under the circumstances, very clearly demonstrate the difficulties that beset the subject, I trust that in no spirit of criticism I may be allowed to discuss their suggestions.

How proposed to be valued.

It is recommended that a Board of Valuers be appointed to make the valuation of assets; certain lines upon which it should be made being laid down. The assets to be valued by the Board are: Cash balances, unspent balances of loans, outstanding rates, plant, mules, Town Hall, stables or other buildings, lands and municipal undertakings, excluding water. With regard to lands, those originally bought by the expiring Municipality are to have their present value determined by the Board, but those which were originally granted by the Government for municipal purposes, and still unsold, are to have valued only the improvements made thereon by the expiring Municipality.

Difficulties of deciding a fair basis of valuation.

It is difficult, however, to see on what basis that will be fair to both sides the value of many valuable assets is to be obtained, such, for example, as land, buildings, works or other property of considerable market value, but in the use to which they are put at the time, only of *municipal value* to the Municipality to which they, at the time of valuation, belong. The satisfactory valuation of such assets is rendered still more difficult if they be of non-productive or only partially productive character.

Valuation of Waterworks assets.

38. The difficulty of dealing with this matter is especially exemplified in the valuation of the Waterworks assets of the several Municipalities forming the proposed amalgamated Municipality from Sea Point to Wynberg. It was indicated in the unanimous evidence of witnesses that it should be a

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* * It must be recollected that as Councillors only retire each year by thirds, the ratepayers never have an opportunity of influencing the policy of the Council by electing an entirely new Council.

sine qua non that each Municipality should retain its own Water assets, and in the case of Cape Town particularly this point was insisted upon, it being asserted that no interference with its Waterworks would for a moment be tolerated. There is no doubt that this strong feeling, which although more apparent in connection with Water assets, owing to the acute stage which the Water question of the Peninsula has reached, will make itself felt in regard to all other Municipal assets. It is therefore, necessary to allude to the recommendations that, in view of this feeling, have been made by my colleagues for dealing with these water assets in the proposed amalgamated Municipality. Briefly, they are as follows: The amalgamated Municipality is to take over all the waterworks undertakings of each of the constituent Municipalities, but each of these undertakings is to be worked,—until such time as an ample additional supply for all needs of the Peninsula has been obtained—for the benefit of the District formed by the expiring Municipality to which the undertaking belonged at the time of amalgamation. And until this ample supply has been obtained, no valuation of the different water assets is to be made. When obtained, however, the cost of all the present water schemes, even though some of them may ultimately prove to be non-productive are to form part of the Capital Expenditure on the General Water Account of the Amalgamated Municipality, the District formed by each constituent Municipality then receiving a refund from the Water Account of the amount of the original cost of such works, less any outstanding debt in connection therewith, the liability for which having already been taken over by the Water Account of the Amalgamated Municipality. In other words, each Municipal District is, while water is scarce, to be allowed to retain for its own use the water they have at the time of the amalgamation, those having sufficient retaining their abundance, those having insufficient continuing with their dearth; but as soon as the new supply from outside sources is obtained, and existing supplies become of comparatively small moment, then all existing supplies are to be "pooled," and the original cost of each of the works is to be borne equally by the whole of the inhabitants of the amalgamated Municipality. But if this arrangement be acted upon, a District, such as Claremont, which will have been suffering severely from want of water, while Cape Town has been having a sufficiency, will hardly be inclined to accept its share of the million or more which will represent the cost of the Cape Town Waterworks, from which it did not, when the need existed, receive any advantage, and from which it is never likely to benefit in any important degree after an adequate supply has been brought to the Peninsula.

Unfairness of the proposal.

39. Apart, however, from the difficulties of arriving at an equitable valuation of the Municipal assets taken over by the proposed Amalgamated Municipality, there is the almost greater difficulty of making an equitable financial adjustment when a satisfactory value has been arrived at. It has been recommended that the value of the assets of the expiring Municipality should be set against its liabilities and outstanding loans taken over by the proposed Amalgamated Municipality, and that in the event of such assets exceeding such liabilities, the balance of this value is to remain as a Betterment Fund for use in the District of the expired Municipality when required. While, on the other hand, if the liabilities and outstanding Loans exceed the value of the assets taken over by the proposed Municipality, then the excess will remain as a special charge upon the rates of the District concerned. It might thus well happen, indeed, it must happen if its finances are in the sound condition that I believe to be the case, that Cape Town, after having had its assets valued and its liabilities deducted therefrom, will stand free of local liability and with a very large credit to its account in the books of the proposed Municipality, while at the same time its inhabitants will remain in enjoyment, as before, of all the advantages

Difficulty of making equitable financial adjustment after valuation of assets.

of the property and undertakings so taken over by the proposed Municipality, very few, if any, of which property and undertakings, as taken over, will be of any direct benefit to the bulk of the rest of the proposed Municipality. Cape Town would thus be in an extraordinarily satisfactory position, with no special rate to pay for its existing Works and a large credit balance on its side to be applied to the reduction of future local rates. Thus, for example, assuming that there were an excess of assets over liabilities of a million—not an unwarrantable assumption—this, on a basis of 4 per cent., interest and Sinking Fund, would represent an annual sum of £40,000 towards the reduction of local rates.

Differential rating necessitated, and its drawbacks.

40. Another serious drawback entailed by an amalgamated Municipality that includes Cape Town, is the necessity it creates for adopting "Differential Rating," or the levying of Ordinary Rates of differing amounts in the different Districts of the Amalgamated Municipality.* This difference in the Rate is necessitated by two sets of circumstances, one being the difference in municipal assets and liabilities at the time of combining, resulting in a greater rate being required to provide for liabilities, and a reduced rate being levied as a compensation for valuable assets taken over by the Amalgamated Municipality from the expiring Municipality forming the Rating District. The other set of circumstances necessitating a difference of Rate arises out of the very different municipal requirements of Cape Town and the Southern Suburbs, calling for expenditure on works and services special to the different Districts of the Amalgamated Municipality.

41. Such Differential Rating is extremely unsatisfactory, as the need for it is never clearly recognised by the ratepayers who are called upon to pay the higher rate, and this more especially when it is demanded in respect of a liability incurred long ago by the expired Municipality, the facts having long been forgotten by the Community.

Local administrations.

Moreover, the Differential Rate necessarily implies separate expenditure, separate Accounting and separate Executives in the several Districts of the Amalgamated Municipality, which would in effect largely continue a local administration in each District, with multiplication of offices and administrative staffs.

SUMMARY OF OBJECTIONS.

Objections to amalgamation of Suburbs with Cape Town summarised.

42. Thus to summarise the objections to an Amalgamated Municipality from Sea Point to Wynberg and including Cape Town:—

The majority of the evidence tendered to the Commission was against it.

The area and magnitude of the proposed Municipality would be too extensive for efficient administration, and the resulting Municipality would lack sufficient public control.

The Southern Suburban Municipalities are in urgent need of combination among themselves. Cape Town is in need neither of amalgamation nor reconstruction.

The Municipal activities and requirements of the Southern Suburban Municipalities, while similar throughout them all, are quite distinct and different from those of Cape Town.

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* The "Differential Rating" here meant must not be confused with the comparatively simple arrangement known as "Special Assessment," which is the charging of property directly participating in some definite local improvement—generally that of forming new or improving old streets or open spaces—with the whole or a *pro rata* portion of the cost of such improvement, a principle easy of application and already well known to Colonial Statute Law, *e.g.*, the Acts No. 45 of 1882 and No. 41 of 1899.

The affairs of Cape Town would in no way be benefited by bringing to its Councils representatives of the Southern Suburban Municipalities, nor would the needs of the latter be met by amalgamation with Cape Town.

In any amalgamation with Cape Town the City would have the preponderating voice in the Council, would furnish the administration, and be the seat of the Municipality.

Owing to widely different financial conditions and to difference in municipal requirements entailing difference in expenditure, the amalgamation would necessitate the introduction of complicated and unsatisfactory financial adjustments.

RECOMMENDATIONS OF THIS REPORT.

Nature of alternative recommendations of this Report.

43. In what has already been said, the nature of the recommendations I have to make have been more or less indicated. They are, in brief, as follows:—

(*a*) The formation of a Peninsula Municipality by the amalgamation of the Southern Suburban Municipalities of Woodstock (subject to the undermentioned reservation), Mowbray, Rondebosch, Claremont and Wynberg.

(*b*) The inclusion within Cape Town of the Municipality of Green Point and Sea Point, and of that portion of Woodstock known as District Number 1.

(*c*) The carrying out of one large Water Augmentation Scheme for the purpose of bringing to the Peninsula, and supplying in bulk to the Municipalities, an adequate supply of water; this work to be undertaken either by a joint Water Board appointed by the Cape Town and Peninsula Municipalities, or by Cape Town alone, but in the latter case under such statutory provisions as shall, on the one hand, secure to the other Municipal bodies of the Peninsula the right to be supplied in sufficient quantity and at a fair rate, and, on the other hand, shall guarantee to Cape Town that a minimum annual supply will be paid for by such bodies.

(*d*) Maitland Municipality, which it is recommended by my colleagues should be included in the Sea Point to Wynberg Municipality, should not be included in any present scheme of amalgamation.

Formation of Suburban Peninsula Municipality.

Details of amalgation of Southern Suburban Municipalities present no difficulties.

44. As to the necessity of effecting some form of amalgamation or combination of these Southern Suburban Municipalities, nothing need be added to what has already been stated in the Majority Report of your Commissioners and in this Report. In recommending the formation of a Peninsula Municipality, to include these areas, it also appears superfluous to enter into a discussion of the minor details of its constitution, these details being in my opinion simple and presenting none of the difficulties that have been shewn to be connected with an amalgamation that would include Cape Town, and they may, therefore, be left out of consideration. Indeed, these Southern Suburban Municipalities being at present constituted under the Municipal Act of 1882, it would I think be possible, even without fresh legislation, to dissolve them and to reconstitute them a Combined Municipality under tha Act. A special Act of Incorporation would, however, for several reasons, be desirable.

45. There is no question as to the general trend of public opinion being already strongly in favour of some form of combination of these Municipalities, and, indeed, so far as those of Mowbray, Rondebosch and Claremont are concerned, they are already drawing together and co-operating in a number of directions, as, for example, in water, lighting, drainage, uniformity of Municipal Regulations and the like. So much is this the case that I have no doubt that little opposition would be raised by anyone to the immediate amalgamation of these three Municipalities under the provisions of the "Municipal Act, 1882."

Public opinion generally in favour of some such amalgamation.

Certain of these Municipalities already combining in many matters.

With regard, however, to Wynberg, the position is not quite so decided, but, speaking generally, I am of opinion that the majority of ratepayers and the public would welcome its inclusion in such an amalgamation, although it is nearly certain that a small section would oppose it for interested reasons. That Wynberg should be included in such a Peninsula Municipality admits of little doubt.

Position of Wynberg not so decided.

46. It may be here pointed out that the areas of these four Municipalities, which were originally each under a Village Management Board established under the Act 29 of 1881, were in 1883 brought together as the Municipality of Liesbeek, constituted under the Municipal Act of 1882, then just brought into operation. Three years later, however, this Municipality was dissolved and the area split up into the three separate Municipalities of Rondebosch, Claremont and Wynberg, also constituted under the said Act; and, again, still later, in 1890, Rondebosch was divided into the separate Municipalities of Rondebosch and Mowbray. (Mr. Henry Beard, questions 10061-64 and 10128-31; Mr. W. P. Schreiner, questions 12783-4).

The late Municipality of Liesbeek.

There can be no doubt that the abolition of the Liesbeek Municipality was a very retrograde step, a fact to which a number of the witnesses heard by your Commissioners bore evidence. The motive of this disintegration was not the improvement of Municipal Government, but was partly the result of inter-parochial jealousies, and was partly connected with the formation of a water scheme which, on the disappearance of the Liesbeek Municipality, eventuated in the formation of the Suburban Waterworks Company, an undertaking which has since been taken over in combination by the Municipalities of Woodstock, Mowbray, Rondebosch and Claremont, thus eventually becoming a bond between those bodies which it originally helped to sunder.

Its abolition generally regretted.

47. As to Woodstock, the matter is less simple of decision. That it is urgently necessary that this area be brought under a strong and qualified authority is certain. Equally certain is it that the area cannot satisfactorily be allowed to remain an isolated unit between the two large Corporations of Cape Town and the proposed Peninsula Municipality, however much the Council may claim to "stand alone." (Mr. W. E. Moore, Question 5301). On the other hand, the municipal interests of Woodstock lie partly with Cape Town and partly with the Southern Suburban Municipalities. That portion known as District No. 1, which is the old original Woodstock, and which includes about 780 acres of the total area of 1,609 acres of the Municipality, and has 15,000 inhabitants out of the total population of 25,000 persons, ascertained at the rough Census taken for the purposes of the Commission in July, 1902, should fall within the sphere of the City, by reason alike of its position and topographical features, its watershed, its industrial character, its practical similarity to Cape Town, and also on account of difficulties which have been shewn in evidence to exist in connection with the present boundary between it and Cape Town. It may be here added that it is probable that the sewage of this portion of the Municipality could be disposed of to the best advantage in the Cape Town sewers, any necessary

Position of Woodstock and amalgamation.

District No. 1.

lifting being effected by the existing Shone Installation of Cape Town. It is true that the capacity of the Cape Town Main Intercepting Sewer has only been designed to meet the prospective needs of the present area of the City, yet it is probable that the Cape Town scheme would prove sufficiently elastic to serve this additional area. (Questions 9172, 9174 and 9177). It may be added that a portion of this District is already suppied with water by Cape Town.

District No. 2.

48. With regard, however, to the portion of the Woodstock Municipality known as District No. 2, or Observatory, and which was only included within the jurisdiction of the Municipality in 1897, this falls naturally within the scope of the proposed Peninsula Municipality, with which it is, by every community of interest, connected.

Possible objections to the sub-division of Woodstock.

49. It will no doubt happen that considerable objection will be offered by the Municipality of Woodstock to this suggested partition of its area and the inclusion of the two portions in two different municipal bodies. Such objection would, however, be purely a sentimental one, for, as has just been said, these two portions have only within recent years been united. However, should the opposition to the division be so great as to jeopardise the accomplishment of the main scheme of the formation of the Peninsula Municipality, then the question arises of the advisability of throwing the whole of the existing area of the Woodstock Municipality either into the Peninsula Municipality or into the Municipality of Cape Town. As to which of these two alternatives would, in this event, be preferable I am not prepared, with the evidence available, to offer a decided opinion, but I am inclined to think that the inclusion of the whole area under the jurisdiction of the Peninsula Municipality would be found to be the better of the two.

Disposal of assets and liabilities of Woodstock

50. In connection with such a division of the Woodstock area, it would become necessary to deal with the assets and liabilities of the Woodstock Municipality at the time of division, but I do not contemplate that any difficulty would be experienced in this respect. The present Loan Indebtedness of the Municipality amounts to £124,723, of which £20,000 represent the debentures issued in connection with the Oliphant's Hoek Water scheme, and £56,723, the quarter share of the cost of the Suburban Waterworks, in which undertaking Woodstock is a fourth partner with the Municipalities of Mowbray, Rondebosch and Claremont. Against these liabilities, however, the Municipality has ample assets, consisting not only of its share in the Suburban Waterworks and the Oliphant's Hoek property, but also of the Town Hall and of certain waste lands, some purchased by the Municipality years ago, and some vested in the Council by the Act No. 13 of 1893, all of which have since become of very great value; (*) so that a valuation of the assets and liabilities would probably shew a large balance to the credit of the Municipality. For the purpose of this division, however, the valuation should be made, as far as possible, on the basis of the actual costs of the assets to the the Municipality, plus any sums expended on them in improvements; thus, for example, the Municipal indebtedness in regard to such matters as the Suburban Waterworks and the Oliphant's Hoek property would practically represent the value to be assigned to those assets. Any balance of assets over liabilities could probably be most fairly apportioned to the two portions of the divided Municipality on the principle of the rateable value of the two Districts.

This, however, would only be a financial adjustment, for with regard to the actual disposal of these assets, this would have to be carried out so

(*) All of these lands are in District No. 1. Those vested under the Act No. 13 of 1893 may be sold with the sanction of the Governor, and some of them have already been so alienated. Of those purchased by the Council (for £250) a portion was sold in 1900 for £15,989. See evidence, Mr. W. E. Moore, Questions 3307—17 and 3430.

that the different assets are assigned to the Municipality to which they are individually of special importance; thus, the share in the Suburban Waterworks would naturally be assigned to the Peninsula Municipality: the Town House and Municipal lands, which are situated in District 1, would fall to the Cape Town Municipality, while the Oliphant's Hoek property would be taken over by the Cape Town Municipality or the Water Board, whichever may be entrusted with the carrying out of the Water Augmentation Scheme for the Peninsula; the necessary financial adjustment being made in respect thereof.

Area and other data of the proposed Peninsula Municipality.

51. The Suburban Municipality thus to be formed would consist of an area of about 11,450 acres, and would have an extent—somewhat excessive, it is true—from Woodstock to Wynberg of about 8½ miles, its width being the same as that of the present Municipalities; it would carry a population of a little over 65,000 persons and have a ratable value (1902) of about Six Millions; it would enjoy an ordinary revenue, of the present value, of about £55,000 per annum, and would possess a total Loan indebtedness of about £450,000—including the whole of Woodstock's share of the indebtedness in respect of the Suburban Waterworks.

Municipalities forming it are all on a footing of equality.

52. The group of Municipalities going to form this amalgamation are upon a footing of practical equality. In their topography and watershed; (*) their area and the density of their population; their residential characters; their age, traditions, and stage of municipal development; the nature and extent of their present municipal operations and of their more pressing needs; their rateable value; their annual revenue and expenditure and the extent of their assets and liabilities; in all of these respects the differences between them are unimportant, while such differences as do exist are distributed over all the members of the group, no one member departing in more than one or two of the above respects from the general average. It, therefore, follows that none of the elaborate and unsatisfactory financial and other adjustments that would be involved in the scheme of amalgamation with Cape Town are necessary in the case of the Suburban Municipality now proposed.

Shewn by a comparison of their Municipal circumstances.

53. This will be the more easily seen from the accompanying Table VI., shewing the relative position of the combining Municipalities, taken during the year 1902, in regard to some of the abovementioned matters. In the case of Woodstock, however, the requisite information is not available separately for each of its two constituent Districts, the figures given are, therefore, those relating to the whole of the Municipality, but any difference between Woodstock and the other Municipalities is chiefly due to the influence of District No. 1, which is much more densely inhabited, having a population per acre of 19 as against 12 in District No. 2, and, as a consequence, has a higher rateable value and a larger ordinary revenue.

(*) The importance of this circumstance and the close community of interest of these Municipalities is exemplified in the provisions of the Liesbeek River Protection Ordinance, No. 6 of 1852, and of the Act No. 32 of 1893, "to make better provision for the Drainage of the Municipalities of Wynberg, Claremont, Rondebosch and Mowbray."

VI.—Table shewing the relative position in the middle of the year 1902, *of the Municipalities of Woodstock, Mowbray, Rondebosch, Claremont and Wynberg in respect of certain Municipal matters.*

	Area.	Population.	Density per Acre.	Rateable value.	Rateable value per head.	Ordinary Revenue.	Loan Indebtedness.			Amount of Owners Rates levied.
							General Works.	Other Works.	Total.	
					£ s. d.					
Woodstock ...	1,609	25,032	15·6	2,071,901	82 15 5	18,342	48,000	76,724	124,724	2d.
Mowbray ..	1,566	8,237	5·3	820,000	99 11 0	8,017	*37,500	56,724	94,224	4d.
Rondebosch ...	2,189	5,791	2·6	874,344	150 19 6	10,430	24,817	56,724	81,541	2d.
Claremont ..	3,386	13,166	4·0	1,273,500	96 14 6	16,615	31,060	56,724	87,784	2½d.
Wynberg ...	3,573	13,697	4·1	2,025,692	147 17 10	10,536	24,848	81,852	116,700	2d.

*Includes Steenbras water scheme.

Absolute similarity of their most important Municipal needs.

54. But the most important respect in which these Municipalities are on a footing of equality is in the identity of their municipal requirements; in drainage and sewerage, in water, in lighting, in roads, in fire brigades and in public health matters their interests are the same, and can by combination alone be properly served. Indeed, some of them, such as those of sewerage and of water supply, cannot be effected without combination.

Wynberg is equally concerned.

55. With regard to both of these matters, it will be seen from the evidence tendered on behalf of the Wynberg Council, that it is claimed for that Municipality that no need exists for it to combine with the remaining Southern Municipalities in dealing with either sewerage or water supply. In my opinion, however, this is not the case.

Wynberg sewerage.

56. It is true that the Wynberg Municipality has already entered upon the construction of a system of sewerage, but the evidence is far from conclusive as to this scheme being the best devisable, and it is not improbable that by combination with the other Municipalities a better scheme could be designed and carried out. I fully concur in the views expressed in this matter by my colleagues in their Report.

Wynberg water supply.

57. Also in respect of water supply the Wynberg Municipality cannot be considered to be without obligations to the other Municipalities, for it is the possessor of a valuable catchment area on Table Mountain, the supply from which is far beyond the needs and the resources of the Municipality. Part of this area was Crown Land and was granted to the Municipality under the Act No. 34 of 1887, and part, known as the Orange Kloof Farm, was expropriated by the Council under the specific provisions of the same Act.

Rights of Claremont, Rondebosch and Mowbrayo in water from Wynberg catchment areas.

With regard, however, to the water supplies thus obtained, certain rights were reserved by the Act to the Municipal Councils of Claremont and Rondebosch (the latter at that time including Mowbray), under which they were entitled to claim a share, amounting respectively to two-eighths and three-eighths,—the remaining three-eighths being left to Wynberg,—of "all such water secured and obtained or to be secured and obtained by Wynberg under the said Act." This right had, however, to be exercised within twelve weeks from the date of the passing of the Act, and, unfortunately, it was not exercised, so that at the present day the whole of this water supply legally belongs to the Municipality of Wynberg. Morally, however, it would appear that the right to a share of this water of the Municipalities of Claremont, Rondebosch and Mowbray remains, for at the present moment the Municipality of Wynberg neither requires nor possesses the means of impounding the water now running to waste.

Urgent need of an increased water supply for Southern Suburbs.

58. The importance of this matter lies in the fact that the condition of the Municipalities of Claremont, Rondebosch, Mowbray and Woodstock, together with, it may be added, certain other areas, such as Maitland, which are at present dependent upon the Suburban Waterworks for their water supplies, is extremely unsatisfactory; for the supply is even now entirely inadequate to the needs of the community during the Summer months, and although it will receive some augmentation when the reservoir, at present under construction at Newlands, is completed, there is every reason to believe that before any Augmentation Scheme of water supply to the Peninsula can be brought into operation, the condition of this area will be most unfortunate.

No reasonable means should be neglected for increasing the supply pending completion of general augmentation scheme.

59. Any possible means, therefore, of adding to that supply pending the completion of an Augmentation Scheme for the Peninsula, becomes of the greatest importance, and in this connection I need only refer to the valuable evidence given to the Commission by Mr. Thomas Stewart, the Hydraulic Expert, which will be found printed under Questions 12999 to 13020, and from which it will be seen that Mr. Stewart is of opinion that any instalment

of the supply under a General Augmentation Scheme could not be expected within a period of four years. In the meanwhile, these Municipalities will have to be placed on short supply, and he is of opinion this might be obviated if, pending the water from the general scheme becoming available, steps be taken to utilise the water, amounting to 2,500,000 gallons per diem, obtainable from the Orange Kloof catchment area, and now running to waste. Asked whether (Question 13008) if the water supply of the immediate future of the Peninsula is a matter of urgency, he would advise that the utilisation of this source of supply should be taken in hand, with a view to the augmenting the present supply, preparatory to getting the larger augmentation scheme through, he replied, "That is a matter of policy for the Wynberg Municipality, to whom I am Engineer. Of course, it is perfectly clear to you from my evidence that the water is available, but it is rather difficult for me to recommend that Wynberg should give up that source of water supply if they do not care to do so." And on being further asked (Question 13009) whether, putting that aspect of the question altogether aside, and as an independent opinion, and looking at the needs of the Peninsula as a whole, he would be prepared to say that in his opinion available water should be brought into general supply, he replied, "I consider that unless the Peninsula is prepared to put up with a short supply it is desirable to utilise the water from that source."

This, then, would be one of the first and most important of the questions with which the proposed Suburban Municipality would have to deal.

Details of Constitution of Peninsula Municipality.

60. With regard to the details of the constitution of this proposed Peninsula Municipality, I have already stated that I do not think it necessary to particularly define these at the present stage, as I am of opinion that they can be best left for settlement as soon as the principle of amalgamation has been accepted by the people. I may, however, here state that, broadly speaking, I do not think there will be found to be any necessity for its division into separate Wards, or for the establishment of District Councils or Committees. As to the Ward System, while something may be said in its favour, there is no doubt that the balance of experience is against it. Certainly so far as my personal knowledge enables me to judge, its drawbacks are greater than its advantages. As to the benefits of District Councils or Committees, they, also, in my opinion are more theoretical and sentimental than practical, and I would strongly advise that the Municipality, if formed, should be constituted a solid entity, administering all matters alike impartially throughout all portions of its District, the seat of such administration being situated as near the centre of the area as conveniently possible.

Number of Councillors.

61. The number of Councillors at present elected for these Municipalities are for Wynberg, Claremont, and Mowbray, nine each, for Rondebosch six, and for Woodstock twelve, or a total of forty-five. This number, however, would be far in excess of the needs of the proposed Municipality, and I would suggest that the number of Councillors should not exceed twenty-four, who should be elected at large.

Amalgamation of Sea Point with Cape Town.

Inclusion in Cape Town of Green and Sea Point Municipality and Woodstock No. 1.

62. With regard to my second recommendation, that the Municipality of Green and Sea Point and District No. 1 of the Woodstock Municipality should be included within the Municipality of Cape Town, with the latter point I have already dealt. As regards the inclusion of the Municipality of Green and Sea Point, this step is in my opinion most desirable, although I doubt whether the Sea Point Council or, indeed, the majority of the inhabitants will concur in the proposal, owing to the probability that it would result in the levying of an increased rate on Sea Point property compared

with that now raised. Probably less opposition would be made to its amalgamation with Cape Town, if the ratepayers were sure that the Ward System would not be introduced, and Sea Point reduced to the position of forming a mere ward of the Municipality.

Present circumstance of Green and Sea Point Municipality.

63. That the existence of the Green and Sea Point Municipality has no *raison d'etre* can hardly be doubted. With the exception of that portion abutting on the sea shore, it is completely surrounded by the Municipality of Cape Town, and a great portion of its main road, with the commonage, belongs to the same Municipality. It thus results that the Sea Point Council are considerably hampered in their Municipal work, and this is especially seen in the case of such matters as the disposal of refuse, which at the present time has to be got rid of by tipping into the sea, at the risk of considerable nuisance on the foreshore. Thus also a system of electric lighting is unobtainable, although the Cape Town supply is close at hand; the water supply and its distribution is entirely in the hands of Cape Town; it possesses no wash-houses, markets, slaughterhouses nor infectious diseases isolation accommodation, and, in fact, it is largely dependent upon the Cape Town Municipality for the fulfilment of many of its Municipal requirements. The inclusion of the Municipality of Green and Sea Point in the Cape Town Municipality would require no financial adjustments, the assets and liabilities of the former being simply taken over as they stand by the Cape Town Municipality, Green and Sea Point at once becoming an integral part of the City, sharing equally its rights and responsibilities. A proportionate increase in the number of the Cape Town Councillors would be necessary.

General Water Augmentation Scheme for Peninsula.

Urgent necessity for promptly commencing a general water augmentation scheme for Peninsula.

64. With reference to the question of obtaining an increased supply of water for the Peninsula, to meet its present and future requirements, it is not necessary for me to add much to what I have already said in Paragraph 43, Clause (*c*). The urgent need that exists for promptly deciding upon and taking in hand a large Water Augmentation Scheme for the Peninsula has been fully dealt with in the Report of my colleagues, and in what is there said I entirely concur, except that I would even more strongly express my opinion as to the urgency of the matter and the necessity for losing no time in commencing the undertaking. I foresee, indeed, that if the population continues to increase in the future at the same rate as it has done in the past, the period is not far distant when the Suburban Municipalities will be in severe straits for water. This difficulty is already acutely felt in many parts of the Peninsula, as in Maitland. Moreover, until an increased supply is available, the adoption of a complete Water Carriage System of Sewerage in the Southern Suburbs cannot be effected.

Should not wait on completion of any scheme of Municipal amalgamation.

It is thus clear that the taking of the steps necessary for deciding upon and making a commencement with a suitable and sufficient Augmentation Scheme, cannot be left to await the completion of any project of Municipal Amalgamation, which, even if promptly receiving the sanction of Public Opinion, must take some considerable time to effect, and it is, therefore satisfactory to know that, as stated by Mr. Thorne, in his evidence tendered to the Commission, the Cape Town Council are at present engaged in enquiring into the merits of different possible schemes.

Cape Town prepared to undertake it jointly for itself and suburbs.

65. The evidence furnished to the Commission goes to shew that the Cape Town Municipality is in a position and is prepared to undertake and carry through a suitable scheme, and that the other municipal bodies would concur in this arrangement.

Or to join a Water Board.

On the other hand, there is evidence that Cape Town would be prepared, if necessary, to co-operate with those bodies on a joint representative Water Board or Authority for the purpose of bringing to the Peninsula an adequate supply, to be delivered in bulk to the several Municipalities. Although I am inclined to favour the first mentioned of these arrangements, it does not appear to be of great moment which is adopted, provided that unnecessary delay in commencing the undertaking is prevented. If the Cape Town Municipality carries out the work on behalf of itself and the Suburbs, then, of course, the necessary enabling Act must secure to the Suburbs an adequate supply, in bulk, at fair rates; at the same time requiring that a minimum annual sum shall be contributed by them. If, on the other hand, a Joint Board be established with representatives from the Cape Town and Peninsula Municipalities, these Municipalities making themselves jointly liable for the financial stability of the undertaking, this Board would supply in bulk to the participating Municipalities at rates to be fixed by it.

Water to be supplied in bulk, existing Waterworks not to be interfered with.

66. The necessity for not in any way interfering with existing waterworks has already been demonstrated in this Report, but attention may be here directed to the advisability of supplying water in bulk to the Municipalities, leaving it to them to distribute it in the areas under their jurisdiction, and to levy and collect a water rate from the consumer. In favour of this principle, evidence has been tendered to the Commission by such competent witnesses as Mr. Thomas Ball (Questions 11659-63), Mr. William Thorne (Question 13870), Mr. W. P. Schreiner (Question 12786), Mr. Wynne Roberts (Questions 8766 and 9118), Mr. George Smart (Questions 12434-38), Mr. James Wyllie (Questions 13968-72), and Mr. Thomas Stewart (Questions 13040-51).

Future of Maitland Municipality.

Future of Maitland Municipality.

67. With regard to the exclusion of the Maitland Municipality from any present amalgamation, I can see no grounds whatever for combining this Municipality in any proposed scheme. On the contrary, in my opinion there are weighty reasons why it should not at present be included. It lies quite out of the sphere of operations of either the Cape Town Municipality or of the Southern Suburban Municipalities; its only practical approach being across the Railway Line and the Salt River Mouth. Moreover, this Municipality, which has only just been established, will have plenty of scope for its municipal efforts, not only within its present area but in areas extending far beyond its present boundaries, which are rapidly becoming urbanised, and must require close attention in the future, but which lie quite beyond the reach of any Peninsula Municipality. The Maitland Municipality should, however, participate in the benefits of any Water Augmentation Scheme for the Peninsula.

CONCLUSION.

In conclusion.

68. In concluding this Report I desire again to express my regret at having been constrained to differ from my colleagues in those fundamental recommendations which I have dealt with in this Report, but apart from these differences of opinion, I unhesitatingly concur in the views expressed by my colleagues on the many other matters dealt with in their Report, and more especially am I in entire accord with them on the subject of the inadvisability of establishing a Central Board or Board of Works over the Peninsula Municipalities, and also with their recommendations in regard to

the re-construction of the Cape Divisional Council, which recommendation will, *mutatis mutandis*, apply, if the scheme of a Peninsula Municipality, which I have above sketched out, finds embodiment.

I have the honour to be,

Your Excellency's

Most obedient Servant,

A. JOHN GREGORY.

Cape Town,
21st February, 1903.

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